

Proposed 2015 Session Legislation

Agency Name & No: Department of Revenue - 5801

Priority Number: Filename: Equal treatment of liquor licensees

Short Title: Equal treatment of licensees under liquor control penalty statute

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1. Purpose:

To ensure all license types are treated equally. Domestic Distilleries, Wine Distributors and importers were inadvertently missed on the list of license types included in the licensing penalty statute (MCA, 16-4-406). This statute allows the department to prescribe penalties to a licensee after an investigation has determined a violation of the code occurred, thus giving the liquor control enforcement regulatory authority.

2. Background:

The main provision we cite for imposing penalties on licensees applies, by its terms, to "a brewer, winery, wholesaler, or retailer licensed under this code." It does not include distilleries, wine distributors and importers, which could poses a liquor control and an equal enforcement problem.

3. Fiscal Impact by Fund Type: This impact should be as specific as possible.

None.

4. Summary Checklist [Check & complete all that apply]--

- Housekeeping Only, Federal Requirement, Audit Recommendation, Major Legislation, Anticipated to be Controversial Legislation, Bill Draft has been included in Legislation Submittal, Supports Submitted EPP Item Number, Local Government Fiscal Impact, Increases/Decreases FTE, Revenue changes (Tax/Fee/Penalty), Previous Legislative Sessions, Other state agencies, Special Interest Groups Affected (wine wholesalers, distillers, importers), Other