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OFFICE OF WEST VIRGINIA
SECRETARY OF STATE

WEST VIRGINIA LEGISLATURE

FIRST REGULAR SESSION, 1993

— ● —

ENROLLED

Com. Sub. for
HOUSE BILL NO. 2636

(By Delegate *Mr. Speaker, Mr. Chambers, &*
Debs. Howouras & Brown)

— ● —

Passed *April 8,* 1993

In Effect *ninety Days From* Passage

ENROLLED
COMMITTEE SUBSTITUTE
FOR

H. B. 2636

(By MR. SPEAKER, MR. CHAMBERS, AND
DELEGATES HOUVOURAS AND BROWN)

[Passed April 8, 1993; in effect ninety days from passage.]

AN ACT to amend and reenact section six, article eight, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to wine shipments; and allowing the shipment of limited quantities of wine from other states or nations to adults in this state if the other states or nations give an equal reciprocal privilege to adults, licensed retailers and distributors of this state.

Be it enacted by the Legislature of West Virginia:

That section six, article eight, chapter sixty of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended and reenacted to read as follows:

ARTICLE 8. SALE OF WINES.

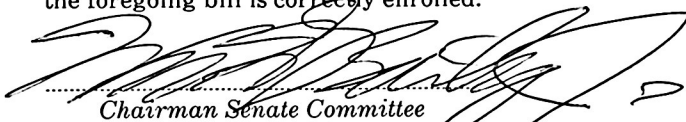
§60-8-6. License or registration required for sale or shipment of wine; shipment of limited quantities of wine to adult residents permitted.

- 1 (a) Except as to the commissioner and except as
- 2 provided in subsection (b) of this section, no person may
- 3 offer for sale or sell wine in this state, or offer wine for
- 4 shipment into this state, except to a distributor who is
- 5 duly licensed under this article. Every person, whether

6 resident or nonresident in this state, who is engaged in
7 or desires to engage in the sale or shipment of wine to
8 a distributor for resale under this article shall, prior to
9 engaging in such activities, register with the commis-
10 sioner. If any such person violates the provisions of this
11 article, he shall not be permitted to sell, ship or deliver
12 any wine to a distributor or to the commissioner, or
13 otherwise engage in the wine business in this state for
14 a period of one year from the date a notice is mailed
15 to such person by the commissioner of the fact that such
16 person has violated the provisions of this article. During
17 such one-year period, it shall be unlawful for any
18 distributor within this state to buy or receive wine from
19 such person or to have any dealings with such person
20 with respect thereto. Hearings and appeals on such
21 notices may be had in the same manner as in the case
22 of revocations of licenses under this article.

23 (b) Notwithstanding the provisions of this chapter or
24 any other law to the contrary, an adult resident or a duly
25 licensed retailer or distributor of alcoholic beverages in
26 a state or nation which affords adults and duly licensed
27 retailers and distributors of this state an equal recip-
28 cal shipping privilege may ship, for personal use and not
29 for resale, not more than two cases of wine per month,
30 not to exceed eighteen liters of wine in any month to any
31 adult resident in this state. Delivery of a shipment
32 pursuant to this section shall not be deemed to constitute
33 a sale in this state. The shipping container of any wine
34 sent into or out of this state under this subsection shall
35 be clearly labeled to indicate that the package cannot
36 be delivered to any person under the age of twenty-one
37 or to an intoxicated person. No adult resident or duly
38 licensed retailer or distributor may advertise the
39 availability of wines by shipment to residents of this
40 state.

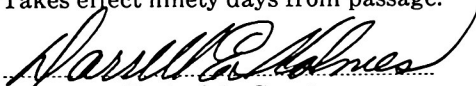
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

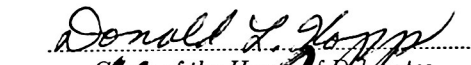

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Chairman Senate Committee


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Chairman House Committee

Originating in the House.

Takes effect ninety days from passage.

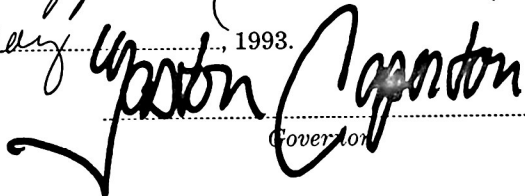

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Clerk of the Senate


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Clerk of the House of Delegates


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President of the Senate


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Speaker of the House of Delegates

The within *is approved* this the *3rd*
day of *May* 1993.


.....
Governor

PRESENTED TO THE

GOVERNOR

Date 4/22/93

Time 11:28 am