

COMMITTEE SUBSTITUTE

FOR

H. B. 2816

(BY DELEGATE DOYLE)

(Originating in the Committee on the Judiciary)
[February 24, 2012]

A BILL to amend and reenact §60-7-11 of the Code of West Virginia, 1931, as amended, relating to permitting private clubs to purchase alcoholic liquors from retail liquor stores in any market zone in the state; permitting private clubs to purchase an alcoholic liquor product from a retail licensee who serves adjacent market zones, if the product is not stocked by the retail licensee within its designated market zone.

Be it enacted by the Legislature of West Virginia:

That §60-7-11 of the Code of West Virginia, 1931, as amended, be amended and reenacted to read as follows:

ARTICLE 7. LICENSES TO PRIVATE CLUBS.

§60-7-11. Licensee must purchase alcoholic liquors from or through commissioner or retail licensee; exceptions.

1 (a)(1) All licensees shall purchase all alcoholic liquors sold
2 by them from the West Virginia Alcohol Beverage Control
3 Commissioner at prices established by the commissioner for
4 sales of the alcoholic liquors to the public generally or from
5 any retail licensee designated to serve its market zone or any
6 immediately contiguous market zones licensed under the
7 provisions of article three-a of this chapter, except that the
8 licensees may purchase those wines permitted to be sold at
9 retail pursuant to article eight of this chapter from those
10 distributors licensed pursuant to said article at the same prices
11 the distributors sell the wines to retailers licensed pursuant to
12 said article. If there is only one market zone which is
13 contiguous to the license zone in which the private club is
14 located, then the licensee may also purchase product directly
15 from a retailer licensed to serve any market zone which is
16 immediately adjacent to that single contiguous market zone:
17 Provided, That the amendments to this section adopted during

18 the 2012 regular session of the Legislature do not take effect
19 until after the market zone licenses expire and are re-bid.

20 (2) A licensee may by contract approved by the
21 commissioner receive deliveries of alcoholic liquor from a
22 retail liquor store, and the provisions of sections twelve and
23 thirteen, article six of this chapter shall not apply to the
24 transportation of that alcoholic liquor.

25 (b) In all reports filed under section sixteen, article
26 fifteen, chapter eleven of this code, retail licensees licensed
27 under the provisions of article three-a of this chapter shall
28 separately identify the amount of sales tax on sales of liquor
29 to licensees in the manner required by the Tax Commissioner.

30 (c) Notwithstanding the provisions of section thirty,
31 article fifteen, chapter eleven of this code to the contrary, the
32 amount of the sales taxes collected by the Tax Commissioner
33 shall be deposited in a revolving fund account in the State
34 Treasurer's office, designated the "Drunk Driving Prevention
35 Fund", and administered by the commission on drunk driving
36 prevention, subject to appropriations by the Legislature.