

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 2943

BY DELEGATES HANSEN, WALKER, SKAFF, ESTEP-
BURTON, BYRD, PUSHKIN, FLEISCHAUER, PYLES,
WILLIAMS, STEELE AND ROBINSON

[Introduced February 8, 2019; Referred
to the Committee on Small Business, Entrepreneurship
and Economic Development then the Judiciary.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §60-8-6b, relating to allowing a wine specialty shop to deliver wine purchased
 3 at the shop without obtaining a direct shippers license under certain circumstances.

Be it enacted by the Legislature of West Virginia:

ARTICLE 8. SALE OF WINES.

§60-8-6b. Deliveries by wine specialty shop.

1 (a) Notwithstanding any other provision of this chapter, a wine specialty shop with a current
 2 license may, without obtaining a direct shippers license, deliver wine, and gift baskets containing
 3 wine, to the purchaser or other person designated by the purchaser, as provided in this section.

4 (b) The shop:

5 (1) May only deliver in the county where the shop is located or within 50 miles of the shop,
 6 if the delivery location is not in the county;

7 (2) Shall ensure that all wine delivered is clearly and conspicuously labeled with the words
 8 “CONTAINS ALCOHOL: SIGNATURE OF PERSON 21 OR OLDER REQUIRED FOR
 9 DELIVERY”; and

10 (3) Shall provide proof or records to the commissioner, upon request, that all deliveries of
 11 wine were purchased by and delivered to an adult resident of West Virginia at least 21 years of
 12 age.

13 (c) The wine delivered by the authority of this section must be purchased at the shop and
 14 must be delivered by an officer, agent or employee of the licensee.

NOTE: The purpose of this bill is to allow a wine specialty shop to deliver wine purchase at the shop without obtaining a direct shippers license.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.