

WEST VIRGINIA LEGISLATURE

2019 REGULAR SESSION

Introduced

House Bill 3104

BY DELEGATE HAMRICK

[Introduced February 12, 2019; Referred
to the Committee on Government Organization.]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding thereto a new section,
 2 designated §11-16-16a, relating to the allowing an out-of-state person engage in business
 3 without a West Virginia license as a producer, exporter, importer, retailed or wholesaler if
 4 a nonintoxicating beer is not available within the state.

Be it enacted by the Legislature of West Virginia:

ARTICLE 16. NONINTOXICATING BEER.

§11-16-16a. Exception to restrictions on nonresident brewers, manufacturers and distributors.

1 If a nonintoxicating beer is not available within this state, an out-of-state person may
 2 engage in business in this state as a producer, exporter, importer, retailer or wholesaler of
 3 nonintoxicating beer without a license issued by this state: *Provided*, That the person shall comply
 4 with the requirements governing the issuance of licenses or permits that authorize the sale of
 5 nonintoxicating beer by the appropriate authority of the state in which the person resides.

NOTE: The purpose of this bill is to allow nonintoxicating beer, manufacturers and distributors to do business within this state without a license, *provided*, the brew is not already available within this state.

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