

Fiscal Estimate Narratives

DOR 3/18/2009

LRB Number	09-0961/2	Introduction Number	AB-0067	Estimate Type	Original
Description alcohol beverages operators' licenses, managers' licenses, and retail licenses, and persons responsible for the operation of certain retail licensed premises.					

Assumptions Used in Arriving at Fiscal Estimate

Under current law, with specific exceptions, no person may sell alcohol beverages at retail unless the person obtains a license or permit authorizing the sale. A Class "B" license authorizes the retail sale of fermented malt beverages for consumption on or off the retail premises. A "Class B" license authorizes the retail sale of intoxicating liquor, subject to certain limitations, for consumption on or off the retail premise. Class "B" and "Class B" licenses are issued by municipalities.

Current law requires municipalities to issue operators' licenses and authorizes municipalities to issue managers' licenses. Under current law, no retail seller of alcohol beverages may be open for business unless the licensee, the designated agent of a corporate licensee, or a person who possesses a manager's license or operator's license is present.

This bill prohibits a person holding an operator's license or manager's license, or a person who is a Class "B" or "Class B" licensee or a designated agent of a corporate Class "B" or "Class B" licensee, from being on Class "B" or "Class B" licensed premises where the person is employed or holds an ownership interest, during the person's working hours, if the person has an alcohol concentration of more than 0.0%, as measured from the person's blood or breath. If a person is convicted of violating this prohibition three or more times, any operator's license, manager's license, or Class "B" or "Class B" license issued to the person or to a corporation for which the person is a designated agent must be revoked.

The bill is not expected to have any significant state or local fiscal effect.

Long-Range Fiscal Implications