WEST VIRGINIA LEGISLATURE
REGULAR SESSION, 1959

ENROLLED

HOUSE BILL NO. 18

(By Mr. Booth of Fayette)

PASSED March 17, 1959

In Effect July 1, 1959

Filed in Office of the Secretary of State
of West Virginia MAR 20 1959

JOE F. BURDETT
SECRETARY OF STATE
ENROLLED

House Bill No. 18
(By Mr. Booth, of Fayette)

[Passed March 14, 1959; in effect July 1, 1959.]

AN ACT to amend and reenact section four, article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, relating to amount of license tax on dealers in and of nonintoxicating beer.

Be it enacted by the Legislature of West Virginia:

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

Section 4. Amount of License Tax; Class A and Class B Retail Dealers.—There is hereby levied and imposed an annual license tax upon all dealers in and of nonintoxicating beer as defined by this article, which license period shall begin on the first day of July of each year and end on the thirtieth day of June of the following year, and if granted for a less period the same shall be computed
quarterly in proportion to the remainder of the fiscal year as follows:

(a) Retail dealers shall be divided into two classes, class A and class B. In the case of a class A retail dealer the license fee shall be one hundred dollars for each place of business; the license fee for social, fraternal or private clubs not operating for profit, and having been in continuous operation for two years or more immediately preceding the date of application, shall be one hundred dollars; and except that railroads operating in this state may dispense nonintoxicating beer upon payment of an annual license tax of ten dollars for each dining, club, or buffet car in which the same is dispensed.

Class A licenses issued for social, fraternal or private clubs and for railroad dining, club or buffet cars, as herein provided, shall authorize the licensee to sell nonintoxicating beer at retail for consumption only on the licensed premises where sold. All other Class A licenses shall authorize the licensee to sell nonintoxicating beer at retail for consumption on or off the licensed premises.

In the case of a Class B retailer, the license fee shall be
fifteen dollars for each place of business. A class B license shall authorize the licensee to sell nonintoxicating beer at retail in bottles, cans or other sealed containers only, and only for consumption off the licensed premises. Sales under this license to any person at any one time must be in less quantities than five gallons. Such license may be issued only to the proprietor or owner of a grocery store. For the purpose of this article the term “grocery store” means and includes any retail establishment commonly known as a grocery store or delicatessen, where food or food products are sold for consumption off the premises.

(b) In the case of a distributor the license fee shall be two hundred fifty dollars for each place of business.

(c) In the case of a brewer with its principal place of business located in this state, the license fee shall be five hundred dollars for each place of manufacture.
The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

[Signature]
Chairman, Senate Committee

[Signature]
Chairman, House Committee

Originated in the House of Delegates

Takes effect July 4, 1959.

[Signature]
Clerk of the Senate

[Signature]
Clerk of the House of Delegates

[Signature]
President of the Senate

[Signature]
Speaker, House of Delegates

The within approved this the 20th day of June, 1959.

[Signature]
Governor