



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2007 Wisconsin Act 216
[2007 Senate Bill 545]

**Auction Sales of Wine, Intoxicating
Liquor, and Fermented Malt
Beverages**

Current law generally prohibits the sale of alcohol beverages to consumers unless the seller possesses a license or permit authorizing the sale.

However, there are *exceptions to this prohibition*, and no license or permit is required, for example, for a brewery to furnish beer to visitors on brewery premises; for a municipality to sell beer in a public park; or for raffles awarding alcohol beverages in unopened containers as prizes; or for the sale by an auction house at public auction of a collection of sealed bottles of intoxicating liquor or unopened beer cans for the purpose of settling an estate or disposing of the collection.

Act 216 creates an *additional exception* for the auction sale of sealed bottles or containers of wine or of unopened bottles of intoxicating liquor or fermented malt beverages by a charitable organization at an auction held to raise money for the charitable organization. The Act specifies that “charitable organization” is a charitable organization as defined in s. 440.41 (1), Stats. [i.e., either an organization that is described in section 501 (c) (3) of the Internal Revenue Code and that is exempt from taxation under section 501 (a) of that Code; or a person (individual or corporation) who is or purports to be established for a charitable purpose].

Effective Date: Act 216 takes effect on April 22, 2008.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.state.wi.us/>.