

2015 Senate Bill 37 (LRB -0329)

An Act to amend 125.07 (3) (a) 3., 125.32 (3) (c) and 125.68 (4) (c) 4.; and to create 125.02 (11m) and 125.32 (3m) (i) of the statutes; relating to: the issuance of retail alcohol beverage licenses for premises on which another business is conducted and the presence of underage persons on premises operating under a retail alcohol beverage license. (FE)

2015

02-13.	S.	Introduced by Senator Harsdorf ; cosponsored by Representatives Knudson, Czaja, Kooyenga, Murphy, Mursau, Spiros, Danou and Ohnstad.	92
02-13.	S.	Read first time and referred to Committee on Agriculture, Small Business, and Tourism	92
03-03.	S.	Fiscal estimate received	
03-11.	S.	Public hearing held	
03-11.	S.	Senator L. Taylor added as a coauthor	139
03-11.	S.	Executive action taken	
03-12.	S.	Report passage recommended by Committee on Agriculture, Small Business, and Tourism, Ayes 9, Noes 0	140
03-12.	S.	Available for scheduling	
03-13.	S.	Placed on calendar 3-17-2015 pursuant to Senate Rule 18(1)	143
03-17.	S.	Read a second time	
03-17.	S.	Ordered to a third reading	
03-17.	S.	Rules suspended	
03-17.	S.	Passed	
03-17.	S.	Ordered immediately messaged	
03-17.	A.	Received from Senate	
03-17.	A.	Read	
03-17.	A.	Rules suspended and taken up	
03-17.	A.	Read a second time	
03-17.	A.	Ordered to a third reading	
03-17.	A.	Rules suspended	
03-17.	A.	Read a third time and concurred in	
03-17.	A.	Ordered immediately messaged	
03-17.	S.	Received from Assembly concurred in	

2015
ENROLLED BILL

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ADOPTED DOCUMENTS:

Orig **Engr** **SubAmdt** **15** - 0329/1

Amendments to above (if none, write "NONE"): _____

NONE

Corrections - show date (if none, write "NONE"): _____

NONE

Topic RELATING CLAUSE

3/20/15



Date

Enrolling Drafter



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-0329/1
ARG:wlj:wj

2015 SENATE BILL 37

February 13, 2015 - Introduced by Senator HARSDORF, cosponsored by Representatives KNUDSON, CZAJA, KOOYENGA, MURPHY, MURSAU, SPIROS, DANOU and OHNSTAD. Referred to Committee on Agriculture, Small Business, and Tourism.

1 **AN ACT to amend** 125.07 (3) (a) 3., 125.32 (3) (c) and 125.68 (4) (c) 4.; and **to**
2 **create** 125.02 (11m) and 125.32 (3m) (i) of the statutes; **relating to:** the
3 issuance of retail alcohol beverage licenses for premises on which another
4 business is conducted and the presence of underage persons on premises
5 operating under a retail alcohol beverage license.

Analysis by the Legislative Reference Bureau

Under current law, with limited exceptions, no person may sell alcohol beverages to a consumer unless the seller possesses a license or permit authorizing the sale. A Class "B" license authorizes the retail sale of fermented malt beverages (beer) for consumption on or off the premises. A Class "B" license is also a prerequisite to the issuance of a "Class B" license, which authorizes the sale of intoxicating liquor (wine and distilled spirits).

Current law generally prohibits the issuance of a Class "B" license for any premises where another business is conducted. However, there are exceptions to this prohibition, including for hotels, restaurants, bowling centers, and movie theaters.

This bill creates an additional exception to this prohibition for a painting studio. A painting studio is defined in the bill as an establishment that is primarily engaged in the business of providing instruction in the art of painting and that offers customers the opportunity to purchase food and beverages for consumption while they paint.

Under current law, a person who is under 21 years of age and not accompanied by his or her parent, guardian, or spouse who is at least 21 years of age

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(unaccompanied underage person) may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued (licensed premises). Current law also provides for various exceptions to this prohibition. Among the exceptions, an unaccompanied underage person may enter or be on licensed premises that is a hotel, bowling center, movie theater, or center for the visual or performing arts.

This bill creates an additional exception allowing an unaccompanied underage person to enter or be on licensed premises that is a painting studio.

For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 125.02 (11m) of the statutes is created to read:

2 125.02 (11m) “Painting studio” means an establishment that is primarily
3 engaged in the business of providing to customers instruction in the art of painting
4 and that offers customers the opportunity to purchase food and beverages for
5 consumption while they paint.

6 **SECTION 2.** 125.07 (3) (a) 3. of the statutes is amended to read:

7 125.07 (3) (a) 3. Hotels, drug stores, grocery stores, bowling centers, movie
8 theaters, painting studios, billiards centers having on the premises 12 or more
9 billiards tables that are not designed for coin operation and that are 8 feet or longer
10 in length, indoor golf simulator facilities, service stations, vessels, cars operated by
11 any railroad, regularly established athletic fields, outdoor volleyball courts that are
12 contiguous to a licensed premises, stadiums, public facilities as defined in s. 125.51
13 (5) (b) 1. d. which are owned by a county or municipality or centers for the visual or
14 performing arts.

15 **SECTION 3.** 125.32 (3) (c) of the statutes is amended to read:

16 125.32 (3) (c) Hotels and restaurants the principal business of which is the
17 furnishing of food and lodging to patrons, bowling centers, movie theaters, painting

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1 studios, indoor horseshoe-pitching facilities, curling clubs, golf courses and golf
2 clubhouses may remain open for the conduct of their regular business but may not
3 sell fermented malt beverages during the hours specified in par. (a).

4 **SECTION 4.** 125.32 (3m) (i) of the statutes is created to read:

5 125.32 (3m) (i) A painting studio.

6 **SECTION 5.** 125.68 (4) (c) 4. of the statutes is amended to read:

7 125.68 (4) (c) 4. Hotels and restaurants the principal business of which is the
8 furnishing of food, drinks or lodging to patrons, bowling centers, movie theaters,
9 painting studios, indoor horseshoe-pitching facilities, curling clubs, golf courses and
10 golf clubhouses may remain open for the conduct of their regular business but may
11 not sell intoxicating liquor during the closing hours under subd. 1. or, with respect
12 to the sale of intoxicating liquor authorized under s. 125.51 (3r) (a), under subd. 3.

13 (END)