



State of Wisconsin  
2015 - 2016 LEGISLATURE

LRB-2844/en  
CMH:emw

## 2015 SENATE BILL 236

1     **AN ACT** *to renumber and amend* 125.51 (10); *to amend* 125.17 (4) (b), 125.26  
2           (6), 125.51 (3) (f) and 125.68 (4) (c) 1.; and *to create* 125.02 (3u), 125.07 (3) (a)  
3           12m., 125.32 (3m) (j), 125.51 (10) (b) and 125.68 (4) (c) 6. of the statutes;  
4           **relating to:** temporary alcohol beverage retail licenses and temporary alcohol  
5           beverage operator's licenses.

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*Analysis by the Legislative Reference Bureau*

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

6           **SECTION 1.** 125.02 (3u) of the statutes is created to read:  
7           125.02 (**3u**) "Chamber of commerce" means a local chamber of commerce  
8           organized under ch. 181 or a similar civic or trade organization organized under ch.  
9           181 to promote economic growth and opportunity within a local geographical area.  
10          **SECTION 1g.** 125.07 (3) (a) 12m. of the statutes is created to read:

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1           125.07 (3) (a) 12m. An underage person who enters and remains on premises  
2 covered by a temporary “Class B” license issued as provided in s. 125.51 (10) (b) if all  
3 of the following apply:

4           a. The municipal governing body issuing the license, or an official or body  
5 authorized by the municipal governing body, authorizes the licensee to permit  
6 underage persons to be on the licensed premises for the purpose of acting as  
7 designated drivers.

8           b. The licensee permits, on the licensed premises, unaccompanied underage  
9 persons to be present only for the purpose of acting as designated drivers and the  
10 licensee provides a means of identification, such as a wrist band, to identify these  
11 underage persons as designated drivers.

12           c. The underage person is present on the licensed premises to act as a  
13 designated driver and displays the means of identification specified in subd. 12m. b.

14           **SECTION 1r.** 125.17 (4) (b) of the statutes is amended to read:

15           125.17 (4) (b) No person may hold more than ~~one license~~ 2 licenses of this kind  
16 per year.

17           **SECTION 2.** 125.26 (6) of the statutes is amended to read:

18           125.26 (6) Temporary Class “B” licenses may be issued to bona fide clubs and  
19 chambers of commerce, to county or local fair associations or agricultural societies,  
20 to churches, lodges or societies that have been in existence for at least 6 months  
21 before the date of application, and to posts of veterans organizations authorizing the  
22 sale of fermented malt beverages at a particular picnic or similar gathering, at a  
23 meeting of the post, or during a fair conducted by the fair association or agricultural  
24 society. The amount of the fee for the license shall be determined by the municipal  
25 governing body issuing the license but may not exceed \$10. An official or body

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1 authorized by a municipal governing body to issue temporary Class “B” licenses may,  
2 upon issuance of any temporary Class “B” license, authorize the licensee to permit  
3 underage persons to be on the premises for which the license is issued. A license  
4 issued to a county or district fair licenses the entire fairgrounds where the fair is  
5 being conducted and all persons engaging in retail sales of fermented malt beverages  
6 from leased stands on the fairgrounds. The county or district fair to which the license  
7 is issued may lease stands on the fairgrounds to persons who may engage in retail  
8 sales of fermented malt beverages from the stands while the fair is being held. A  
9 municipal governing body may issue a temporary Class “B” license for premises that  
10 are covered by a “Class B” permit issued under s. 125.51 (5) (b) 2. if the applicant  
11 meets the requirements of this subsection. If a license is issued under this subsection  
12 to a fair association solely for the purpose of conducting on the licensed premises  
13 fermented malt beverages judging or tasting events involving servings of fermented  
14 malt beverages no greater than one fluid ounce each, s. 125.32 (2) does not apply to  
15 these licensed premises.

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

17 125.32 (3m) (j) Premises for which a temporary Class “B” license is issued  
18 under s. 125.26 (6) if the license is one of multiple licenses issued by the municipality  
19 to the same licensee for the same date and times, the licensee is the sponsor of an  
20 event held at multiple locations within the municipality on this date and at these  
21 times, and an admission fee is charged for participation in the event and no  
22 additional fee is charged for service of alcohol at the event.

23 **SECTION 4.** 125.51 (3) (f) of the statutes is amended to read:

24 125.51 (3) (f) A “Class B” license may be issued only to a holder of a retail Class  
25 “B” license to sell fermented malt beverages unless the “Class B” license is the kind

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1 of “Class B” license specified under par. (am) or is a temporary “Class B” license under  
2 sub. (10).

3 **SECTION 5.** 125.51 (10) of the statutes is renumbered 125.51 (10) (a) and  
4 amended to read:

5 125.51 (10) (a) Notwithstanding s. 125.68 (3), temporary “Class B” licenses  
6 may be issued to bona fide clubs and chambers of commerce, to county or local fair  
7 associations or agricultural societies, to churches, lodges, or societies that have been  
8 in existence for at least 6 months before the date of application, and to posts of  
9 veterans’ organizations authorizing the sale of wine in an original package,  
10 container, or bottle or by the glass if the wine is dispensed directly from an original  
11 package, container, or bottle at a particular picnic or similar gathering, at a meeting  
12 of the post, or during a fair conducted by the fair association or agricultural society.  
13 The amount of the fee for the license shall be determined by the municipal governing  
14 body issuing the license but may not exceed \$10, except that no fee may be charged  
15 to a person who at the same time applies for a temporary Class “B” license under s.  
16 125.26 (6) for the same event. A license issued to a county or district fair licenses the  
17 entire fairgrounds where the fair is being conducted and all persons engaging in  
18 retail sales of wine from leased stands on the fairgrounds. The county or district fair  
19 to which the license is issued may lease stands on the fairgrounds to persons who  
20 may engage in retail sales of wine from the stands while the fair is being held. If a  
21 county or district fair leases any stand to a winery holding a permit under s. 125.53,  
22 in addition to making retail sales of wine from the leased stand, the winery may  
23 provide taste samples anywhere on the fairgrounds of wine manufactured by the  
24 winery. If a license is issued under this subsection paragraph to a fair association  
25 solely for the purpose of conducting on the licensed premises wine judging or tasting

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1 events involving servings of wine no greater than one fluid ounce each, s. 125.68 (2)  
2 does not apply to these licensed premises. ~~Not~~ Except as provided in par. (b), not  
3 more than 2 licenses may be issued under this subsection paragraph to any club,  
4 chamber of commerce, county or local fair association, agricultural association,  
5 church, lodge, society, or veterans post in any 12-month period.

6 **SECTION 6.** 125.51 (10) (b) of the statutes is created to read:

7 125.51 (10) (b) 1. A municipality may issue up to 20 licenses under par. (a) to  
8 the same licensee if all of the following apply:

9 a. Each license is issued for the same date and times and the licensee is the  
10 sponsor of an event held at multiple locations within the municipality on this date  
11 and at these times.

12 b. An admission fee is charged for participation in the event and no additional  
13 fee is charged for service of alcohol at the event.

14 c. Within the immediately preceding 12-month period, the municipality has  
15 issued licenses under authority of this paragraph for fewer than 2 events.

16 2. The duration of an event under subd. 1. may not exceed one day.

17 3. For purposes of the 2-license limit imposed under par. (a), each event for  
18 which multiple licenses are issued as provided in subd. 1. shall count as one license  
19 toward this 2-license limit.

20 4. A municipal governing body or an official or body authorized by a municipal  
21 governing body to issue temporary “Class B” licenses may, upon issuance of a  
22 temporary “Class B” license as provided in subd. 1., authorize the licensee to permit  
23 underage persons to be on the licensed premises for the purpose of acting as  
24 designated drivers.

25 **SECTION 6g.** 125.68 (4) (c) 1. of the statutes is amended to read:

