



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2015 Wisconsin Act 372
[2015 Assembly Bill 624]

**Alcohol Beverages Recordkeeping
and Local Options to Prohibit its
Sale**

BACKGROUND

Local Option and Remonstrance

In Wisconsin, licenses to retail sell alcohol beverages (beer, distilled spirits, and wine) may be issued by municipalities (cities, villages, and towns). **Prior law** authorized a “local option” for the electors of any municipality to determine by referendum whether or not the municipality must issue a retail license to retail sell fermented malt beverages (beer) or intoxicating liquor (distilled spirits and wine). The statutes set forth the requisite procedures to be used for the local option referendum.

Prior law also authorized electors of a “residence district,¹” or neighborhood, within a municipality to determine whether intoxicating liquor could be sold within the residence district. To do so, the majority of the district’s electors signed and filed with the municipal clerk a written “remonstrance” within the timeframe specified by statute, stating that no license may be issued within the district.

Alcohol Beverages Recordkeeping

Wisconsin statutes require a person who manufactures, distributes, or retail sells alcohol beverages to keep complete and accurate records of any alcohol beverages that are purchased, sold, manufactured, rectified, brewed, fermented, distilled, produced, stored, warehoused, imported, or transported within the state. The records must be in the form prescribed by the

¹ A “residence district” means “a clearly described compact, contiguous territory in any municipality bounded by corporation or ward lines, public streets, public roads, public alleys or water courses, in which not less than 100 and not more than 750 qualified electors reside.” [s. 125.05 (2) (a), Stats.]

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.wisconsin.gov>.

secretary of the Department of Revenue (DOR) and must be safely preserved to ensure accessibility for DOR inspection. DOR administrative rules also set forth requirements regarding the retention of invoices that a retailer must retain on his or her licensed premises.

2015 WISCONSIN ACT 372

2015 Wisconsin Act 372 (the Act) eliminates the “local option” process by which electors in a municipality could determine by referendum whether or not the municipality must issue alcohol beverages licenses. The Act also eliminates the process by which electors in a residence district could determine whether intoxicating liquor could be sold within the residence district.

Regarding alcohol beverages recordkeeping, **the Act** authorizes a person to keep the required records in electronic form only. The Act also amends DOR administrative rules to authorize a licensed retailer to retain invoices in electronic form only.

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