

**DRAFTER'S NOTE  
FROM THE  
LEGISLATIVE REFERENCE BUREAU**

LRB-0718/P1dn  
ARG:ahe

November 9, 2018

Please review the attached draft carefully to ensure that it is consistent with your intent.

The provisions in this draft are similar to those appearing in LRB-0717/P1, and the drafter's note to LRB-0717/P1 provides some background for these provisions.

Some courts have found that a state into which alcohol beverages have been illegally shipped (by a business that does not hold a license or permit issued by the state) lacks jurisdiction to enforce the state's laws against the out-of-state shipper and that the state must rely on the illegal shipper's home state to stop the illegal shipping. For example, in Mississippi, a state trial court dismissed an action brought by the state's attorney general against out-of-state wine sellers that were illegally shipping wine directly to state residents. Do you want to include any provision in this draft that allows DOR to suspend or revoke a Wisconsin license or permit if the Wisconsin licensee or permittee is illegally shipping alcohol into another state in violation of that state's law?

Please let me know if you would like any changes made to the attached draft or if you have any questions.

Aaron R. Gary  
Senior Legislative Attorney  
(608) 504-5850  
aaron.gary@legis.wisconsin.gov