

**2019 DRAFTING REQUEST**

**Bill**

For: **Dale Kooyenga (608) 266-2512**

Drafter: **mpfotenh**

By: **Anna S.**

Secondary Drafters:

Date: **3/5/2019**

May Contact:

Same as LRB: **-2151** ←

Submit via email: **YES**

Requester's email: **Sen.Kooyenga@legis.wisconsin.gov**

Carbon copy (CC) to: **mary.pfotenhauer@legis.wisconsin.gov**

**Pre Topic:**

No specific pre topic given

**Topic:**

Allow sales at stands by minors

**Instructions:**

Redraft of 2017 AB 507; define "stand" to only include occasional sales under s. 77.51 (9).

**Drafting History:**

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/1	mpfotenh 3/5/2019		mbarman 3/5/2019	dwalker 3/5/2019	State S&L

FE Sent For:

<END>

*At Intro*

**Pfotenhauer, Mary**

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**From:** Schwarz, Anna  
**Sent:** Tuesday, March 05, 2019 9:55 AM  
**To:** Pfotenhauer, Mary  
**Subject:** Re: LRB-2151/1 Senate Companion

Greetings Mary,

Wanted to reach out to request that a Senate Companion to LRB-2151/1 be released to Sen. Kooyenga. Thank you and I hope you have a wonderful day!

Sincerely,

*Anna C. Schwarz  
Research Assistant  
Regulatory Licensing Reform Committee Clerk  
Office of Representative Cody Horlacher  
33rd Assembly District  
608-266-5715*

**Parisi, Lori**

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**From:** Sen.Kooyenga  
**Sent:** Tuesday, March 05, 2019 11:05 AM  
**To:** LRB.Legal  
**Subject:** Draft Review: LRB -2318/1

Please Jacket LRB -2318/1 for the SENATE.



Before  
change

## 2019 SENATE BILL 170

April 18, 2019 - Introduced by Senators KOOYENGA, CARPENTER, COWLES, CRAIG, KAPENGA, MARKLEIN, NASS, OLSEN, STROEBEL, L. TAYLOR, TESTIN and WANGGAARD, cosponsored by Representatives HORLACHER, ALLEN, BALLWEG, BRANDTJEN, BROOKS, DITTRICH, EDMING, FIELDS, GUNDRUM, KATSMA, KERKMAN, KNODL, KULP, MACCO, MURPHY, MURSAU, MYERS, OHNSTAD, PRONSCHINSKE, ROHRKASTE, SINICKI, SKOWRONSKI, SNYDER, SORTWELL, SPIROS, STAFSHOLT, STEFFEN, TRANEL, VINING, VRUWINK, WICHGERS and ZIMMERMAN. Referred to Committee on Public Benefits, Licensing and State-Federal Relations.

1 AN ACT *to amend* 97.30 (1) (c); and *to create* 66.0416 and 97.29 (1) (h) 12m. of  
2 the statutes; **relating to:** allowing minors to operate temporary stands without  
3 a permit or license.

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### *Analysis by the Legislative Reference Bureau*

This bill allows minors to operate temporary stands without a permit or license.

Under current law, a facility that processes food for sale must obtain a food processing plant license from the Department of Agriculture, Trade and Consumer Protection. If food will be sold at retail at the same location where it was prepared, the facility must obtain a retail food establishment license from DATCP. In addition, current law does not restrict the ability of municipalities to prohibit a minor from operating a temporary stand or to require a permit or license for a minor operating a temporary stand.

Under the bill, a place used for preparing food for sale at a stand operated by a minor does not need a food processing plant license from DATCP, and a stand operated by a minor does not need a retail food establishment license. In addition, under the bill, a municipality may not prohibit a minor from operating a stand or require a permit or license for a minor operating a stand. The bill defines a "stand operated by a minor" as a temporary, occasional establishment operated on private property by children under the age of 18 that makes occasional sales, defined under current law as sales of less than \$2,000 in a year.

**SENATE**

**INTRODUCTION AND REFERRAL OF PROPOSALS**

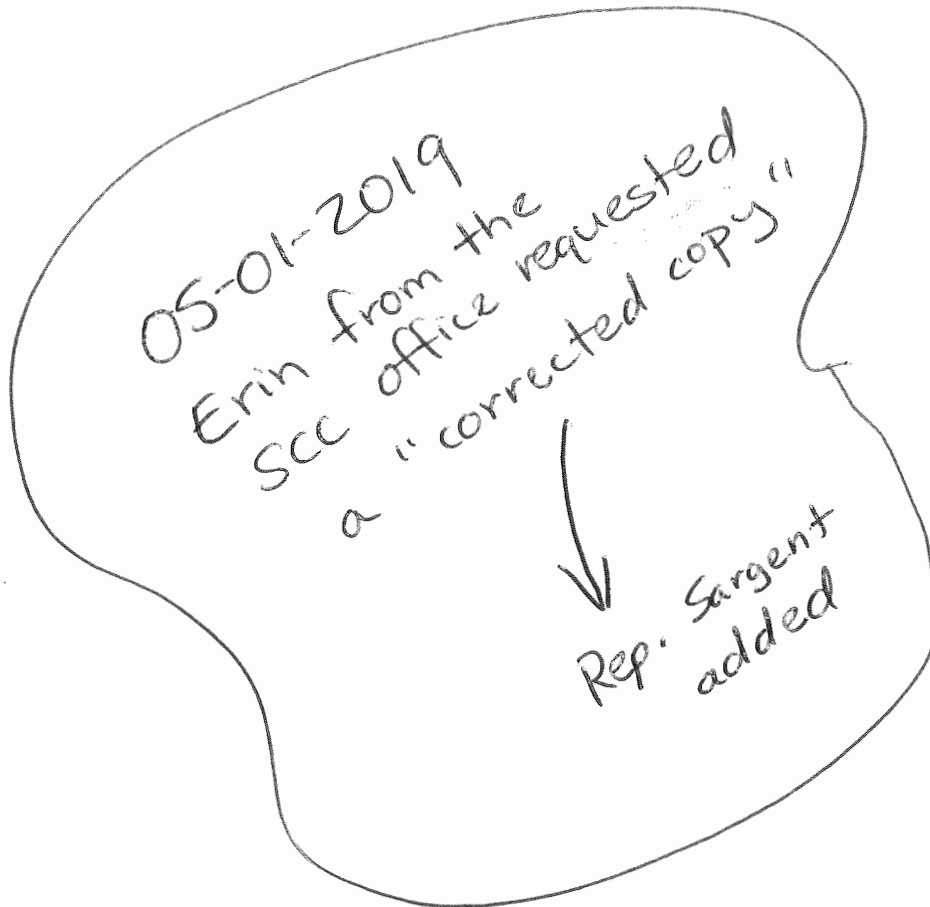
**(May 01, 2019)**

**SENATE BILL 170 (LRB -2318)**

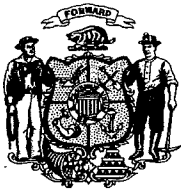
Relating to: allowing minors to operate temporary stands without a permit or license.

Introduced by Senators Kooyenga, Carpenter, Cowles, Craig, Kapenga, Marklein, Nass, Olsen, Stroebel, L. Taylor, Testin and Wanggaard; cosponsored by Representatives Horlacher, Sargent, Allen, Ballweg, Brandtjen, Brooks, Dittrich, Edming, Fields, Gundrum, Katsma, Kerkman, Knodl, Kulp, Macco, Murphy, Mursau, L. Myers, Ohnstad, Pronschinske, Rohrkaste, Sinicki, Skowronski, Snyder, Sortwell, Spiros, Stafsholt, Steffen, Tranel, Vining, Vruwink, Wichgers and Zimmerman.

Referred to committee on **PUBLIC BENEFITS, LICENSING AND STATE-FEDERAL RELATIONS.**



05-01-2019  
Erin from the  
SCC office requested  
a "corrected copy"  
↓  
Rep. Sargent  
added



05-02-2019

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