

No. 104, A.]

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CHAPTER 233

AN ACT to amend 176.17 (2); and to create 176.05 (23) of the statutes, relating to retail licenses for sale of intoxicating liquors and the rule-making authority of the commissioner of taxation.

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

SECTION 1. 176.05 (23) of the statutes is created to read:

176.05 (23) CREDIT RESTRICTIONS. (a) No retail licensee under this section shall receive, purchase or acquire intoxicating liquors directly or indirectly from any permittee except upon terms of cash or credit for not exceeding 30 days.

(b) No retail licensee shall receive any intoxicating liquors on consignment or on any basis other than a bona fide sale.

(c) No retail licensee shall receive, purchase or acquire intoxicating liquors directly or indirectly from any permittee if at the time of such receipt, purchase or acquisition he is indebted to any permittee for intoxicating liquors received, purchased, acquired or delivered more than 30 days prior thereto.

(d) For the purposes of this subsection, a person holding both a wholesale and retail license is deemed a retailer.

(e) Until July 1, 1958, this subsection shall not apply to any indebtedness incurred before the effective date of this subsection.

(f) No retailers' license shall be issued for a term beginning on or after July 1, 1958, to any person having any indebtedness for intoxicating liquors to any permittee under this chapter of more than 30 days standing. In each application for a license for a term beginning on or after July 1, 1958, the applicant shall state whether or not he has any indebtedness for intoxicating liquors to any such permittee which has been outstanding more than 30 days.

(g) Any retail licensee who violates this subsection shall be subject to the suspension or revocation of his retail license under s. 176.121 and the penalties prescribed in s. 176.41, except that he shall not be imprisoned.

(h) The cost of administering this subsection shall be borne by the permittees. The commissioner of taxation shall determine such cost and shall by rule establish the procedure and method for apportioning such cost against the permittees, and provide for the method of its payment to or collection by the commissioner.

SECTION 2. 176.17 (2) of the statutes is amended to read:

176.17 (2) No manufacturer, rectifier or wholesaler shall furnish, give, or lend any money or other thing of value, directly or indirectly, or through a subsidiary or affiliate, or by any officer, director, or firm member of the industry, to any person engaged in selling products of the industry for consumption on the premises where sold, or to any person for the use, benefit, or relief of said person engaged in selling as above;

or to guarantee the repayment of any loan or the fulfilment of any financial obligation of any person engaged in selling as above. Nothing herein contained shall affect the extension of * * * commercial credits for the products of the industry sold and delivered *in compliance with s. 176.05 (23)*. No person licensed to sell intoxicating liquors for consumption on the premises where sold shall receive, or be the beneficiary of, any of the benefits hereby prohibited.

Approved June 18, 1957.
