



## 2005 SENATE BILL 722

May 3, 2006 - Introduced by Senator GROTHMAN. Referred to Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform.

1     **AN ACT** *to amend* 125.51 (4) (br) 2.; and *to create* 125.51 (4) (br) 1. g. and h. of  
2           the statutes; **relating to:** municipal quotas for intoxicating liquor retail  
3           licenses.

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### ***Analysis by the Legislative Reference Bureau***

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the sale of intoxicating liquor at retail for consumption on the premises where sold and is issued for specific premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. The quota on the number of "Class B" licenses that a municipality may issue is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population.

This bill increases the quota, under certain conditions, for municipalities having a population of less than 50,000. In such a municipality, the quota is increased by one license if the municipality's commercial growth increased by \$1,000,000 or more per 1,000 population, as measured over the three calendar years immediately preceding the effective date of the bill. In addition, the quota is increased by one license if the municipality's population increased by less than 500 in the previous year and the municipality's commercial growth increased by \$1,000,000 or more per 1,000 population, as measured over the immediately preceding three calendar years.

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For further information see the *local* fiscal estimate, which will be printed as an appendix to this bill.

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

1           **SECTION 1.** 125.51 (4) (br) 1. g. and h. of the statutes are created to read:

2           125.51 (4) (br) 1. g. If the municipality has a population of less than 50,000 and  
3 is issuing licenses on the effective date of this subd. 1. g. .... [revisor inserts date], add  
4 one license if the municipality’s commercial growth increased by \$1,000,000 or more  
5 per 1,000 population, as measured over the 3 calendar years immediately preceding  
6 the effective date of this subd. 1. g. .... [revisor inserts date].

7           h. If the municipality has a population of less than 50,000 and if the  
8 municipality’s increase of population described in subd. 1. e. is less than 500, add one  
9 license if the municipality’s commercial growth increased by \$1,000,000 or more per  
10 1,000 population, as measured over the immediately preceding 3 calendar years.

11           **SECTION 2.** 125.51 (4) (br) 2. of the statutes is amended to read:

12           125.51 (4) (br) 2. Notwithstanding subd. 1., if the difference between the  
13 number of licenses determined under par. (b) 1g. and under par. (bm) 1. is 3 or fewer,  
14 the number of reserve “Class B” licenses authorized to be issued by that municipality  
15 is the difference between the number of licenses determined under par. (b) 1g. and  
16 under par. (bm) 1., plus one per each increase of 500 population to the population  
17 recorded under par. (bm), plus one if the municipality had issued a license under s.  
18 125.51 (4) (br) 2., 1999 stats., based on a fraction of 500 population but only as long  
19 as the total number of licenses issued by the municipality equals the maximum  
20 number of licenses authorized, plus one if the municipality meets the criteria

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1 described in subd. 1. g., plus one if the municipality meets the criteria described in  
2 subd. 1. h.

3 **SECTION 3. Initial applicability.**

4 (1) This act first applies to licenses issued on the effective date of this  
5 subsection.

6 (END)