

State of Wisconsin



1995 Senate Bill 218

Date of enactment: **June 30, 1995**
Date of publication*: **July 14, 1995**

1995 WISCONSIN ACT 23

AN ACT to amend 125.04 (5) (a) 5.; and to create 125.185 of the statutes; relating to: the requirement that an agent of a corporation or limited liability company have completed an alcohol beverage server training course and creating a provisional retail license.

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

SECTION 1m. 125.04 (5) (a) 5. of the statutes is amended to read:

125.04 (5) (a) 5. Have successfully completed within the 2 years prior to the date of application a responsible beverage server training course at any location that is offered by a vocational, technical and adult education district and that conforms to curriculum guidelines specified by the board of vocational, technical and adult education or a comparable training course that is approved by the department or the educational approval board, ~~unless the~~. This subdivision does not apply to an applicant who held, or who was an agent appointed and approved under sub. (6) of a corporation or limited liability company that held, within the past 2 years, a Class "A", "Class A" or "Class C" license or a Class "B" or "Class B" license or permit or a manager's or operator's license.

SECTION 2. 125.185 of the statutes is created to read:

125.185 Provisional retail licenses. (1) A municipal governing body that issues licenses authorizing the retail sale of fermented malt beverages, intoxicating liquor or wine shall issue provisional retail licenses. The municipal governing body may by ordinance establish

standards under which provisional retail licenses shall be issued and shall by ordinance designate the municipal official having authority to issue provisional retail licenses.

(2) A provisional retail license may be issued only to a person who has applied for a Class "A", Class "B", "Class A", "Class B" or "Class C" license and authorizes only the activities that the type of retail license applied for authorizes.

(3) The municipal governing body shall by ordinance establish the fee for a provisional retail license. The fee may not exceed \$15.

(4) A provisional retail license expires 60 days after its issuance or when the Class "A", Class "B", "Class A", "Class B" or "Class C" license is issued to the holder, whichever is sooner. The official who issued the provisional retail license may revoke the license if he or she discovers that the holder of the license made a false statement on the application.

(5) Notwithstanding sub. (1), a municipal official may not issue a provisional "Class B" license if the municipality's quota under s. 125.51 (4) prohibits the municipality from issuing a "Class B" license.

(6) No person may hold more than one provisional retail license for each type of license applied for by the holder per year.

* Section 991.11, WISCONSIN STATUTES 1993-94: Effective date of acts. "Every act and every portion of an act enacted by the legislature over the governor's partial veto which does not expressly prescribe the time when it takes effect shall take effect on the day after its date of publication as designated" by the secretary of state [the date of publication may not be more than 10 working days after the date of enactment].