



1995 ASSEMBLY BILL 789

January 18, 1996 - Introduced by Representatives SKINDRUD, MUSSER, AINSWORTH, URBAN, HASENOHRL, POWERS, RYBA and HANSON, cosponsored by Senators BRESKE and SCHULTZ. Referred to Committee on State Affairs.

1 **AN ACT to create** 125.25 (5) and 125.51 (2m) of the statutes; **relating to:** the
2 number of licenses that a municipality may issue for the sale of alcohol
3 beverages for consumption off of the premises.

Analysis by the Legislative Reference Bureau

Current law sets a limit (quota), with exceptions, on the number of licenses that a municipality may issue for the retail sale of intoxicating liquor for consumption on the premises. Current law does not set a quota on the number of licenses that a municipality may issue for the retail sale of fermented malt beverages for consumption off of the premises (licenses for stores that sell beer) or on the number of licenses that a municipality may issue for the retail sale of intoxicating liquor for consumption off of the premises (licenses for stores that sell intoxicating liquor).

This bill places a quota on the number of licenses that a municipality may issue for stores that sell beer and on the number of licenses that a municipality may issue for stores that sell intoxicating liquor. For each type of license, the quota is one license per 2,000 population or fraction thereof, or the number of licenses in force in the municipality on the date on which this bill becomes law, whichever is larger.

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

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

4 **SECTION 1.** 125.25 (5) of the statutes is created to read:
5 125.25 (5) (a) In this subsection:
6 1. "License" means a Class "A" license.

1 2. "Population" has the meaning given in s. 125.51 (4) (a) 2.

2 3. "Quota" means the number of licenses that a municipality may issue.

3 (b) The quota of a municipality is whichever of the following is the larger:

4 1. One license per 2,000 population or fraction thereof.

5 2. The number of licenses lawfully issued and in force in the municipality on
6 the effective date of this subdivision [revisor inserts date].

7 (c) If territory containing premises covered by a license is annexed to the
8 municipality and if the municipality's quota would not otherwise allow licenses for
9 the premises, the quota shall be increased to include a license for each premises in
10 the annexed territory.

11 (d) Detachment of territory shall decrease the quota of the remainder of the
12 municipality by the number of premises covered by licenses existing in the detached
13 territory, except that detachment may not decrease the quota of the remainder to less
14 than one license per 2,000 persons or less than one license.

15 **SECTION 2.** 125.51 (2m) of the statutes is created to read:

16 125.51 (2m) QUOTAS ON "CLASS A" LICENSES. (a) In this subsection:

17 1. "License" means a "Class A" license.

18 2. "Population" has the meaning given in sub. (4) (a) 2.

19 3. "Quota" means the number of licenses that a municipality may issue.

20 (b) The quota of a municipality is whichever of the following is the larger:

21 1. One license per 2,000 population or fraction thereof.

22 2. The number of licenses lawfully issued and in force in the municipality on
23 the effective date of this subdivision [revisor inserts date].

24 (c) If territory containing premises covered by a license is annexed to the
25 municipality and if the municipality's quota would not otherwise allow licenses for

1 the premises, the quota shall be increased to include a license for each premises in
2 the annexed territory.

3 (d) Detachment of territory shall decrease the quota of the remainder of the
4 municipality by the number of premises covered by licenses existing in the detached
5 territory, except that detachment may not decrease the quota of the remainder to less
6 than one license per 2,000 persons or less than one license.

7 (END)