

1999 DRAFTING REQUEST

Bill

Received: 03/18/99

Received By: nilsepe

Wanted: As time permits

Identical to LRB:

For: Jeff Stone (608) 266-8590

By/Representing:

This file may be shown to any legislator: NO

Drafter: nilsepe

May Contact:

Alt. Drafters:

Subject: Beverages - miscellaneous

Extra Copies:

Pre Topic:

No specific pre topic given

Topic:

Prohibit OWI offender from holding alcohol beverage license or permit

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	nilsepe 03/19/99	ygeller 03/19/99		_____			
/1			martykr 03/22/99	_____	lrb_docadmin 03/22/99	lrb_docadmin 04/8/99	

FE Sent For:

N/A

<END>

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1?	nilsepe	1/3/99 jlg	km 3/22	HLH 3 AM 22			

FE Sent For:

<END>

Handwritten scribbles and marks in the top right corner.

Rep. Stone

343.307(2)

3/18/99

Prohibit 3 or more OWI from ever holding
liquor license/bartender

Amend 125.04 to implement lifetime ban for
persons having 3 or more offenses covered
under 343.307.

-PEN

CR; 125.04 (5)(a)6.

Have not been convicted of 3 or more
offenses that may be counted under s. 343.307(2)



4



State of Wisconsin
1999 - 2000 LEGISLATURE

LRB-2543

PEN.....

Handwritten initials and a circled mark.

~~PRELIMINARY DRAFT - NOT READY FOR INTRODUCTION~~

(note)

gen cat

1 AN ACT relating to: qualifications for possessing a license or permit to sell or
2 serve alcohol beverages.

Analysis by the Legislative Reference Bureau

Under current law, no license or permit relating to the production, distribution, sale or serving of alcohol beverages may be issued to a person who does not meet the minimum qualifications. With exceptions for specific licenses or permits, the minimum qualifications include not having an arrest or conviction record, being a resident of this state, having attained the legal drinking age and completing an approved responsible beverage ^{server} ~~serve~~ training course. Current law also prohibits the issuance of a license or permit relating to alcohol beverages to any person who is a habitual law offender or who has been convicted of a felony, unless pardoned.

This bill prohibits the issuance of a license or permit relating to alcohol beverages to any person who has been convicted of three or more offenses related to operating a motor vehicle while under the influence of alcohol or other intoxicant (OWI), or improperly refusing to submit to a chemical test of the person's blood, breath or urine after being placed under arrest for OWI, if at least one of the offenses is committed after this bill takes effect.

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

3 SECTION 1. 125.04 (5) (a) ^X6. of the statutes is created to read:

1

125.04 (5) (a) 6. Have not been convicted of ³three or more offenses that may be counted under s. 343.307 (2), at least one of which offenses ⁸was committed on or after the effective date of this subdivision[✓].... [revisor inserts date].[✓]

2

3

4

(END)

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2543/Jan

PEN.....:....

JLG

(Handwritten signature/initials in a circle)

March 19, 1999

Rep. Stone:

Current law already prohibits felons from holding licenses or permits relating to alcohol beverages. See s. 125.04 (5) (b), stats. Under current law, OWI offenses may be a felony offense if the offense results in injury or death, if there is a minor present in the vehicle at the time of the offense or if the violator has a specified number of offenses (although usually more than 3 prior offenses are required to elevate an OWI to a felony).

This bill applies to all licenses or permits relating to alcohol beverages, including bartender's licenses (operator's and manager's licenses), wholesaler licenses, and manufacturing permits. Ok?

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU**

LRB-2543/1dn
PEN:jlg:km

March 22, 1999

Rep. Stone:

Current law already prohibits felons from holding licenses or permits relating to alcohol beverages. See s. 125.04 (5) (b), stats. Under current law, OWI offenses may be a felony offense if the offense results in injury or death, if there is a minor present in the vehicle at the time of the offense or if the violator has a specified number of offenses (although usually more than 3 prior offenses are required to elevate an OWI to a felony).

This bill applies to all licenses or permits relating to alcohol beverages, including bartender's licenses (operator's and manager's licenses), wholesaler licenses, and manufacturing permits. OK.

Paul E. Nilsen
Legislative Attorney
Phone: (608) 261-6926

**SUBMITTAL
FORM**

**LEGISLATIVE REFERENCE BUREAU
Legal Section Telephone: 266-3561
5th Floor, 100 N. Hamilton Street**

The attached draft is submitted for your inspection. Please check each part carefully, proofread each word, and sign on the appropriate line(s) below.

Date: 3/22/99

To: Representative Stone

Relating to LRB drafting number: LRB-2543

Topic

Prohibit OWI offender from holding alcohol beverage license or permit

Subject(s)

Beverages - miscellaneous

1. **JACKET** the draft for introduction



in the **Senate** _____ or the **Assembly** (check only one). Only the requester under whose name the drafting request is entered in the LRB's drafting records may authorize the draft to be submitted. Please allow one day for the preparation of the required copies.

2. **REDRAFT.** See the changes indicated or attached _____.

A revised draft will be submitted for your approval with changes incorporated.

3. Obtain **FISCAL ESTIMATE NOW**, prior to introduction _____.

If the analysis indicates that a fiscal estimate is required because the proposal makes an appropriation or increases or decreases existing appropriations or state or general local government fiscal liability or revenues, you have the option to request the fiscal estimate prior to introduction. If you choose to introduce the proposal without the fiscal estimate, the fiscal estimate will be requested automatically upon introduction. It takes about 10 days to obtain a fiscal estimate. Requesting the fiscal estimate prior to introduction retains your flexibility for possible redrafting of the proposal.

If you have any questions regarding the above procedures, please call 266-3561. If you have any questions relating to the attached draft, please feel free to call me.

Paul E. Nilsen, Legislative Attorney
Telephone: (608) 261-6926