

1999 ASSEMBLY BILL 489

September 28, 1999 – Introduced by Representatives HUBLER, LADWIG, KREUSER, ZIEGELBAUER, M. LEHMAN, STASKUNAS, SKINDRUD and BOYLE, cosponsored by Senators JAUCH and FARROW. Referred to Committee on State Affairs.

1 **AN ACT** *to create* 125.51 (4) (c) and (d) of the statutes; **relating to:** the effect of
2 annexation or detachment of territory on a municipality’s quota of “Class B”
3 intoxicating liquor licenses.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail to a consumer 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 fixed premises. Current law imposes a quota on the number of “Class B” licenses that a municipality may issue. The quota is increased based on population increases; one new license is authorized for each 500 population increase.

This bill modifies the number of “Class B” licenses that a municipality may issue based on annexation or detachment of territory containing premises for which a “Class B” license is issued. If a municipality that has reached its quota annexes territory containing premises for which a “Class B” license is issued, the annexing municipality’s quota is increased by the number of annexed “Class B” licenses. The population gained by annexation is also counted as a population increase for purposes of increasing the annexing municipality’s quota. Conversely, the quota of a municipality from which territory has been detached by annexation is reduced by the number of detached “Class B” premises, unless the reduction would leave the

