

2001 ASSEMBLY BILL 394

May 14, 2001 – Introduced by Representatives STASKUNAS, DUFF, URBAN, LA FAVE, STONE and MILLER, cosponsored by Senator GROBSCHMIDT. Referred to Committee on State Affairs.

1 **AN ACT to amend** 125.12 (2) (ag) 5. and 125.12 (4) (ag) 7. of the statutes; **relating**
2 **to:** revocations, suspensions, and refusals to renew a license or permit relating
3 to alcohol beverages.

Analysis by the Legislative Reference Bureau

Under current law, a municipality or the department of revenue (DOR) generally may revoke, suspend, or refuse to renew any license or permit to manufacture, brew, distribute, or sell alcohol beverages if the licensee or permittee is not qualified to hold the license or permit, violates this state's laws regulating alcohol beverages, or commits specified offenses. An alcohol beverage license or permit may be revoked if the licensee or permittee has been convicted of unlawfully possessing, with intent to manufacture, distribute, or deliver, a controlled substance or controlled substance analog, or of unlawfully manufacturing, distributing, or delivering a controlled substance or controlled substance analog.

This bill expands the offenses involving controlled substances or controlled substance analogs that may be considered by a municipality or DOR in deciding to revoke, suspend, or refuse to renew an alcohol beverage license or permit. Under the bill, an allegation that a license or permit holder has violated this state's Uniform Controlled Substances Act, or a substantially similar federal law or law of another state, may be considered in an action to revoke, suspend, or refuse to renew an alcohol beverage license or permit, even if there has been no conviction for the alleged violation. However, the allegation must be found to be true before it may provide a

