

## 2003 SENATE BILL 271

AN ACT *to amend* 125.04 (12) (a), 125.25 (2) (b) 3., 125.25 (3), 125.28 (2) (c) 2. and 125.28 (3); and *to create* 125.25 (2) (b) 4. of the statutes; **relating to:** transferring certain alcohol beverage licenses to premises in another municipality within the same county.

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*Analysis by the Legislative Reference Bureau*

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

1           **SECTION 1.** 125.04 (12) (a) of the statutes is amended to read:  
2           125.04 **(12)** (a) *From place to place.* Every alcohol beverage license or permit  
3           may be transferred to another place or premises within the same municipality. An  
4           alcohol beverage warehouse permit under s. 125.19, a winery permit under s. 125.53  
5           or an intoxicating liquor wholesaler's permit under s. 125.54 may be transferred to  
6           another premises within this state. A Class "A" license and a wholesaler's license

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1 identified in s. 125.25 (2) (b) 2. may be transferred together as provided in s. 125.25  
2 (2) (b) 4. if the receiving municipality approves the transfer. Transfers shall be made  
3 by the issuing authority upon payment of a fee of \$10 to the issuing authority and,  
4 for transfers as provided in s. 125.25 (2) (b) 4., transfers shall be received and the  
5 validity of the transferred licenses recognized by the receiving municipality upon  
6 approval of the transfer by the receiving municipality and payment to the receiving  
7 municipality of an additional fee of \$10 for each transferred license. No retail  
8 licensee, retail permittee, intoxicating liquor wholesaler or holder of a warehouse or  
9 winery permit is entitled to more than one transfer during the license or permit year.  
10 This paragraph does not apply to a license issued under s. 125.51 (4) (v) or to a reserve  
11 “Class B” license, as defined in s. 125.51 (4) (a).

12 **SECTION 2.** 125.25 (2) (b) 3. of the statutes is amended to read:

13 125.25 (2) (b) 3. If Except as provided in subd. 4., if a person holding a Class  
14 “A” license and a wholesaler’s license under subd. 2. fails to renew either license, is  
15 denied renewal of either license under s. 125.12 or has either license suspended or  
16 revoked under s. 125.12, the person is subject to subd. 1.

17 **SECTION 3.** 125.25 (2) (b) 4. of the statutes is created to read:

18 125.25 (2) (b) 4. Subject to s. 125.04 (12) (a), a person who holds a Class “A”  
19 license and a wholesaler’s license issued under s. 125.28, both of which licenses were  
20 issued before May 5, 1994, may transfer the licenses together to another premises  
21 in a different municipality within the same county. An issuing municipality shall  
22 transfer a Class “A” license under this subdivision, and, upon approval of the transfer  
23 by the receiving municipality, the receiving municipality shall recognize the validity  
24 of the license, even if, at the time of transfer, the license has been suspended,  
25 revoked, or denied renewal under s. 125.12 provided that the suspension, revocation,

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1 or denial of renewal resulted from the licensed premises being relocated outside the  
2 corporate limits of the issuing municipality.

3 **SECTION 4.** 125.25 (3) of the statutes is amended to read:

4 125.25 (3) Class “A” licenses shall particularly describe the premises for which  
5 issued and are not transferable, except under sub. (2) (b) 4. and s. 125.04 (12). A Class  
6 “A” license is subject to revocation for violation of any of the terms or provisions  
7 thereof.

8 **SECTION 5.** 125.28 (2) (c) 2. of the statutes is amended to read:

9 125.28 (2) (c) 2. If Except as provided in ss. 125.04 (12) (a) and 125.25 (2) (b)  
10 4., if a person holding a wholesaler’s license and a license or permit under subd. 1.  
11 fails to renew a license or permit, is denied renewal of a license or permit under s.  
12 125.12 or has one of the licenses or permits suspended or revoked under s. 125.12,  
13 the person is subject to par. (b) with respect to holding a license or permit of that type  
14 after the failure or denial of renewal or the revocation or suspension of the license  
15 or permit.

16 **SECTION 6.** 125.28 (3) of the statutes is amended to read:

17 125.28 (3) Wholesalers’ licenses shall particularly describe the premises for  
18 which issued and are not transferable, except as provided in ~~s.~~ ss. 125.04 (12) and  
19 125.25 (2) (b) 4. A wholesaler’s license is subject to revocation for violation of any of  
20 the terms or provisions thereof.

21 **SECTION 7. Initial applicability.**

22 (1) This act first applies to applications for transfer of a license made on the  
23 effective date of this subsection.

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(END)