

2005 ASSEMBLY BILL 454

June 1, 2005 – Introduced by Representatives GRONEMUS, PETTIS, SHERMAN, VOS, NASS, SUDER, SHERIDAN, MUSSER, VAN ROY, KERKMAN, A. WILLIAMS, TRAVIS, KREIBICH, HAHN, J. FITZGERALD, SHILLING, LOEFFELHOLZ, LEHMAN, AINSWORTH, WOOD, SEIDEL, GIELOW, ALBERS, BALLWEG, SINICKI, PETROWSKI, TOWNSEND, NERISON, GUNDERSON, PRIDEMORE, MOLEPSKE, MOULTON, JESKEWITZ, ZEPNICK and OWENS, cosponsored by Senators ELLIS, BRESKE, SCHULTZ, A. LASEE, LASSA, BROWN, GROTHMAN, PLALE, KAPANKE and HARS DORF. Referred to Committee on Public Health.

1 **AN ACT to create** 254.61 (3m) and 254.61 (5) (h) of the statutes; **relating to:**
 2 excepting potluck events from the public health regulation of restaurants.

Analysis by the Legislative Reference Bureau

Under current law relating to public health, the Department of Health and Family Services and local health departments annually issue permits to and otherwise regulate restaurants. A “restaurant” is defined to mean any building, room, or place where meals are prepared, served, or sold to transients or the general public. The definition has numerous exceptions, including free lunches from taverns; occasional meals prepared, served, or sold by churches, certain organizations, and service clubs; public or private school lunchrooms; stands at public farm sales; and licensed vending machines.

This bill expands the exceptions to the definition of “restaurant” under the public health laws to include potluck events, as defined in the bill.

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:

3 **SECTION 1.** 254.61 (3m) of the statutes is created to read:
 4 254.61 **(3m)** “Potluck event” means an event to which all of the following apply:

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1 (a) Attendees of the event provide food and beverages to be shared with other
2 attendees and consumed at the event.

3 (b) No compensation is provided to any person who conducts or assists in
4 providing the event or who provides food and beverages to be shared at the event, and
5 no compensation is paid by any person for consumption of food or beverages at the
6 event.

7 (c) The event is sponsored by a church; religious, fraternal, youth, or patriotic
8 organization or service club; civic organization; tavern; parent–teacher
9 organization; senior citizen center or organization; or adult day care center.

10 **SECTION 2.** 254.61 (5) (h) of the statutes is created to read:

11 254.61 (5) (h) A potluck event.

12 (END)