

ASSEMBLY BILL 290 (LRB -2653)

An Act to amend 139.04 (1); and to create 125.06 (3g) and (3r) of the statutes; relating to: the manufacture of wine and fermented malt beverages not offered for sale. (FE)

2011

- 09-29. A. Introduced by Representatives **Kooyenga, Mursau, Spanbauer, Rivard, A. Ott, C. Taylor, Brooks and Berceau**; cosponsored by Senators **Zipperer, Galloway and Schultz**.
- 09-29. A. Read first time and referred to committee on Homeland Security and State Affairs 534
- 10-11. A. Representative Strachota added as a coauthor 553
- 10-12. A. Public hearing held.
- 10-18. A. Assembly amendment 1 offered by Representative Bewley (**LRB a1629**) 566
- 10-19. A. Fiscal estimate received.
- 10-19. A. Executive action taken.
- 10-20. A. Report Assembly Amendment 1 adoption recommended by committee on Homeland Security and State Affairs, Ayes 8, Noes 0 588
- 10-20. A. Report passage as amended recommended by committee on Homeland Security and State Affairs, Ayes 8, Noes 0 588
- 10-20. A. Referred to committee on Rules 588
- 10-20. A. Placed on calendar 10-25-2011 by committee on Rules.
- 10-25. A. Read a second time 611
- 10-25. A. Assembly amendment 1 to Assembly amendment 1 offered by Representative Bewley (**LRB a1753**) 611
- 10-25. A. Assembly amendment 1 to Assembly amendment 1 **adopted** 611
- 10-25. A. Assembly amendment 1 **adopted** 611
- 10-25. A. Ordered to a third reading 611
- 10-25. A. Rules suspended 611
- 10-25. A. Read a third time and **passed** 611
- 10-25. A. Ordered immediately messaged 611
- 10-26. S. Received from Assembly 541
- 10-26. S. Read first time and referred to committee on Energy, Biotechnology, and Consumer Protection 542
- 11-17. S. Public hearing held.

2012

- 01-31. S. Executive action taken.
- 01-31. S. Report concurrence recommended by committee on Energy, Biotechnology, and Consumer Protection, Ayes 5, Noes 0 680
- 01-31. S. Available for scheduling.
- 02-13. S. Referred to joint committee on Finance by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 3, Noes 2 697
- 02-13. S. Withdrawn from joint committee on Finance and made Available for Scheduling by committee on Senate Organization, pursuant to Senate Rule 41 (1)(e), Ayes 3, Noes 2 697
- 02-13. S. Placed on calendar 2-14-2012 pursuant to Senate Rule 18(1) 697
- 02-14. S. Read a second time 3
- 02-14. S. Ordered to a third reading 3
- 02-14. S. Rules suspended 3
- 02-14. S. Read a third time and **concurred in**, Ayes 33, Noes 0 3
- 02-14. S. Ordered immediately messaged 0
- 02-15. A. Received from Senate concurred in.

SB

**2011
ENROLLED BILL**

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ADOPTED DOCUMENTS:

Orig Engr SubAmdt

11 -2653/1

Amendments to above (if none, write "NONE"): AA1 - a 1629/1

AA1 to AA1 - a 1753/1

Corrections - show date (if none, write "NONE"): None

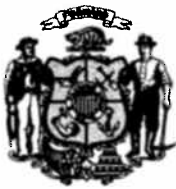
Topic Rel

2-15-12

Date

JR Miller

Enrolling Drafter



2011 ASSEMBLY BILL 290

September 29, 2011 - Introduced by Representatives KOOYENGA, MURSAU, SPANBAUER, RIVARD, A. OTT, C. TAYLOR, BROOKS and BERCEAU, cosponsored by Senators ZIPPERER, GALLOWAY and SCHULTZ. Referred to Committee on Homeland Security and State Affairs.

1 **AN ACT** *to amend* 139.04 (1); and *to create* 125.06 (3g) and (3r) of the statutes;
2 **relating to:** the manufacture of wine and fermented malt beverages not offered
3 for sale.

Analysis by the Legislative Reference Bureau

Under current law, a person is not required to hold a license or permit to manufacture wine or fermented malt beverages (beer) at his or her home, farm, or place of residence if the wine or beer is to be consumed by the person or his or her family and guests and if the person receives no compensation. Also under current law, a person is not required to pay an occupational tax on wine or beer made at home solely for consumption at home by the person's family and guests, without compensation.

Under this bill, a person is not required to hold a license or permit to manufacture wine or beer at a business primarily engaged in selling supplies and equipment for use by homebrewers or home winemakers, or to taste the wine or beer at this business, if the wine or beer is not sold or offered for sale. A person is also not required to hold a license or permit to manufacture wine or beer for educational purposes, or to taste the wine or beer at the place of manufacture, if the wine or beer is not sold or offered for sale. A person who manufactures wine or beer under these circumstances is also not required to pay an occupational tax. The bill also specifies that a person who manufactures wine or beer at his or her home, farm, or place of residence for consumption by the person or his or her family and guests, and who receives no compensation, is not required to pay an occupational tax on the wine or beer regardless of where it is consumed.

ASSEMBLY BILL 290

Because this bill relates to an exemption from state or local taxes, it may be referred to the Joint Survey Committee on Tax Exemptions for a report to be printed as an appendix to the bill.

For further information see the *state* 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:

1 SECTION 1. 125.06 (3g) and (3r) of the statutes are created to read:

2 125.06 (3g) WINE OR FERMENTED MALT BEVERAGES MADE AT SUPPLY STORES. The
3 manufacture of wine or fermented malt beverages by any person at a business
4 primarily engaged in selling supplies and equipment for use by homebrewers or
5 home winemakers, and, notwithstanding s. 125.09 (1), the tasting at the business of
6 wine or fermented malt beverages so manufactured, if the wine or fermented malt
7 beverages are not sold or offered for sale.

~~INS. AA1-AA1-X~~ INS. AA1-1

8 125.06 (3r) WINE OR FERMENTED MALT BEVERAGES MADE FOR EDUCATIONAL
9 PURPOSES. The manufacture of wine or fermented malt beverages for educational
10 purposes, and, notwithstanding s. 125.09 (1), the tasting of the wine or fermented
11 malt beverages at the place of manufacture, if the wine or fermented malt beverages
12 are not sold or offered for sale.

INS
AA1-AA1-X

13 SECTION 2. 139.04 (1) of the statutes is amended to read:

14 139.04 (1) Making of wine, cider or fermented malt beverages at home solely
15 for consumption therein and use thereof in such home by the family and guests
16 without compensation, or manufacturing wine or fermented malt beverages in
17 compliance with the limitations specified in s. 125.06 (3), (3g), or (3r).

18 (END)

INS. AA1-AA1-Y



ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 290

October 18, 2011 - Offered by Representative BEWLEY.

1 At the locations indicated, amend the bill as follows:

2 **1.** Page 2, line 7: after "sale." insert "Wine or fermented malt beverages
3 provided at a business for tasting under this subsection may only be provided by a
4 person who holds an operator's license issued under s. 125.17."

5 (END)

~~INSERT
AA1 to AA1 1~~



**ASSEMBLY AMENDMENT 1,
TO ASSEMBLY AMENDMENT 1,
TO 2011 ASSEMBLY BILL 290**

October 25, 2011 - Offered by Representative BEWLEY.

AAI - AAI - X

~~AAI to AAI - 1~~

1 At the locations indicated, amend the amendment as follows:

2 1. Page 1, line 4: after that line insert:

3 "2m. Page 2, line 12: after that line insert:

4 "SECTION 1m. 125.17 (1) of the statutes is amended to read:

5 125.17 (1) AUTHORIZATION. Every municipal governing body shall issue an
6 operator's license to any applicant who is qualified under s. 125.04 (5). Operators'
7 licenses may not be required other than for the purpose of complying with ss. 125.32
8 (2) and 125.68 (2) or s. 125.06 (3g). Operators' licenses may be issued only upon
9 written application."

10 3m. Page 2, line 17: after that line insert:

AAI - AAI - Y

11 "SECTION 3m. Effective date.

1

(1) This act takes effect on the 30th day after the date of publication.

2

(END)