

**DRAFTER'S NOTE**  
**FROM THE**  
**LEGISLATIVE REFERENCE BUREAU**

LRB-2594/P1dn  
ARG:kjf:jm

July 9, 2013

ATTN: Amy Harriman

A distillery is authorized to make retail sales of its own products without holding a retail license and is actually prohibited from holding a retail license to sell distilled spirits. See ss. 125.52 (1) (b) 2., 125.69 (1) (a) and (b). The underage presence provision in s. 125.07 (3) (a) applies only to retail licensed premises and therefore does not apply to a distillery. Accordingly, no treatment of distilleries is included in this draft.

I have also created a new provision in this draft, s. 125.07 (3) (a) 15., instead of amending s. 125.07 (3) (a) 13. because there is a problem with current law in s. 125.07 (3) (a) 13. In 2011 Wisconsin Act 32, which eliminated the requirement that brewers hold retail licenses, s. 125.07 (3) (a) 13. was amended, but in retrospect it should have been repealed since breweries are no longer retail licensed premises.

I also note that current law allows families to bring their underage children on winery tours that include retail licensed premises on the tour. What current law prohibits is the presence of underage persons who are not family members, who are considered "unaccompanied" underage persons.

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