



2013 ASSEMBLY BILL 744

1 **AN ACT to amend** 97.20 (2) (a), 97.27 (2), 97.29 (2) (a), 97.30 (2) (a) and 97.42 (2)
2 (a) of the statutes; **relating to:** licenses for new dairy plants, food warehouses,
3 food processing plants, retail food establishments, and meat establishments.

Analysis by the Legislative Reference Bureau

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

4 **SECTION 1.** 97.20 (2) (a) of the statutes is amended to read:
5 97.20 (2) (a) *License requirement.* Except as provided in par. (e), no person,
6 including this state, may operate a dairy plant without a valid license issued by the
7 department for that dairy plant. A dairy plant license expires on April 30 annually
8 and, except that a license issued for a new dairy plant on or after January 30 but
9 before May 1 expires on April 30 of the following year. A dairy plant license is not
10 transferable between persons or locations.

ASSEMBLY BILL 744**SECTION 2**

1 **SECTION 2.** 97.27 (2) of the statutes is amended to read:

2 97.27 (2) LICENSE REQUIRED. No person may operate a food warehouse without
3 a valid license issued by the department for the food warehouse. A food warehouse
4 license expires on June 30 annually, except that a license issued for a new food
5 warehouse on or after March 30 but before July 1 expires on June 30 of the following
6 year. Every food warehouse shall have a separate license. A license is not
7 transferable between persons or food warehouse locations. Application for a license
8 shall be made on a form provided by the department and shall be accompanied by
9 applicable fees required under sub. (3). An application shall include information
10 reasonably required by the department for licensing purposes.

11 **SECTION 3.** 97.29 (2) (a) of the statutes is amended to read:

12 97.29 (2) (a) *Requirement.* Except as provided under par. (b), no person may
13 operate a food processing plant without a valid license issued by the department for
14 that food processing plant. A license expires on March 31 annually, except that a
15 license issued for a new food processing plant on or after January 1 but before April
16 1 expires on March 31 of the following year. Each food processing plant shall have
17 a separate license. A license is not transferable between persons or locations.
18 Application for a license shall be made on a form provided by the department and be
19 accompanied by the applicable fees required under sub. (3). An applicant shall
20 identify the categories of food processing activities which the applicant proposes to
21 conduct at the food processing plant. An application shall include additional
22 information which may reasonably be required by the department for licensing
23 purposes.

24 **SECTION 4.** 97.30 (2) (a) of the statutes is amended to read:

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1 97.30 (2) (a) *Requirement.* Except as provided under par. (b), no person may
2 operate a retail food establishment without a valid license issued by the department
3 or an agent city or county. Licenses expire on June 30 annually, except that a license
4 issued for a new retail food establishment on or after March 30 but before July 1
5 expires on June 30 of the following year. Each retail food establishment shall have
6 a separate license. A license is not transferable between persons or establishments.
7 Application for a license shall be made on a form provided by the department, or by
8 the agent city or county, and be accompanied by the applicable fees required under
9 sub. (3) or s. 97.41. An application shall indicate whether food processing is
10 conducted at the establishment and shall specify the nature of any food processing
11 activities. An application shall include other information reasonably required by the
12 department, or by the agent city or county, for licensing purposes.

13 **SECTION 5.** 97.42 (2) (a) of the statutes is amended to read:

14 97.42 (2) (a) No person may operate an establishment as defined in sub. (1) (d)
15 without a valid license issued by the department for each such establishment. That
16 license expires on June 30 annually, except that a license issued for a new
17 establishment on or after March 30 but before July 1 expires on June 30 of the
18 following year. No license may be issued unless the applicant has complied with the
19 requirements of this section. The annual license fee is \$200, except the annual
20 license fee shall be \$80 for those establishments engaged only in slaughtering
21 uninspected animals or poultry or processing uninspected meat as a custom service,
22 and not in other operations subject to a license under this section. No person may
23 be required to obtain a license under s. 97.29 or 97.30 for activities licensed under
24 this section or which is inspected under 21 USC 451 to 695.

25 **(END)**