

1973 Assembly Bill 1241

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## CHAPTER 256, Laws of 1973

AN ACT to renumber 139.02; and to create 139.02 (1) (title) and (2) of the statutes, relating to a fermented malt beverages tax credit for small brewers doing business in this state.

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

**SECTION 1. Purpose.** Because a substantial but everdeclining number of small brewers struggle to remain active in this state despite economies of scale enjoyed by major brewers which make it virtually impossible for small brewers to compete on an even footing, and because preservation of competition in the market place is of major concern to the economy and the people of this state, this legislation is enacted to encourage and preserve a competitive market in the brewing industry.

**SECTION 2.** 139.02 of the statutes is renumbered 139.02 (1).

**SECTION 3.** 139.02 (1) (title) of the statutes is created to read:

139.02 (1) (title) TAX IMPOSED; RATE; LIMITATION.

**SECTION 4.** 139.02 (2) of the statutes is created to read:

139.02 (2) TAX CREDIT TO ELIGIBLE PRODUCERS. (a) Each eligible producer shall receive a credit in the amount of 50% of the tax paid or payable by the producer under this section in any given calendar year on the first 50,000 barrels taxed under this section in that year.

(b) In this section "eligible producer" means any producer of fermented malt beverages, whether or not located in this state, producing less than 300,000 barrels of fermented malt beverages in the calendar year for which credit under par. (a) is claimed. In determining the number of barrels, all brands or labels of a producer shall be combined. All facilities for the production of fermented malt beverages owned or controlled by the same person shall be deemed a single producer.

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SECTION 5. **Applicability.** The credit created by this act applies to fermented malt beverage taxes paid in the calendar year 1974 and each calendar year thereafter.

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