
Wisconsin Legislative Council

AMENDMENT MEMO



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2021 Senate Bill 56

Senate Amendment 1

2021 SENATE BILL 56

Very generally, 2021 Senate Bill 56 expressly authorizes Class “A” and Class “B” fermented malt beverages (“beer”) retailers, and “Class A” and “Class B” intoxicating liquor (spirits and wine, “liquor”) licensed retailers to make retail sales of beer or liquor pursuant to a remote order for pick-up at the retailer’s parking spaces. The bill defines a **remote order** as “an order for the sale of alcohol beverages that is placed by telephone or Internet by a consumer who asserts at the time of placing the order that he or she has attained the legal drinking age” (age 21). In expressly authorizing sales of beer and liquor made pursuant to a remote order, the bill specifies all of the following:

- If a remote order for beer or liquor is to be picked up by the consumer at a parking space that is part of the retailer’s licensed premises, the sale occurs at the time the consumer takes possession of the beer or liquor, regardless of when the consumer makes the payment.
- If a Class “B” beer or Class “B” liquor retailer receives a remote order, the sale of beer or liquor is authorized only for consumption off of a retailer’s licensed premises.
- The premises of Class “A” and Class “B” beer retailers and “Class A” and “Class B” liquor retailers may include, if described in the license application, parking spaces associated with any structure described as licensed premises in the license application, even if the parking spaces are not contiguous with the remainder of the licensed premises.
- A city, village, or town (“municipality”) may not prescribe additional regulations for, or impose additional restrictions relating to the sales of beer or liquor made by remote order. An order that is inconsistent with the bill may not be enforced. The bill does not, however, limit a municipality’s authority to adopt ordinances of general application that apply to all sales by a retail licensee, including ordinances that impose more restrictive closing hours than required under current law.

SENATE AMENDMENT 1

Senate Amendment 1 makes the following changes to the bill:

- Amends the definition of **remote order** to mean “an order for the sale of alcohol beverages in **original unopened packages or containers** that is placed by telephone or Internet by a consumer who asserts at the time of placing the order that he or she has attained the legal drinking age.”
- Specifies that if the sale of beer or liquor is made by remote order, the consumer may not take possession of it during hours in which the retailer is prohibited from selling alcohol beverages (closing hours), or if the municipality has established more restrictive closing hours, during the hours established by ordinance.

BILL HISTORY

Senate Amendment 1 was introduced on March 16, 2021, by Senator Stroebel. On March 19, 2021, the Senate Committee on Government Operations, Legal Review, and Consumer Protection voted to recommend adoption of the amendment, and passage of the bill, as amended, on votes of Ayes, 5; Noes, 0. On March 23, 2021, the Senate adopted the amendment, and passed the bill, as amended, on voice votes.

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