



## 1999 ASSEMBLY BILL 489

September 28, 1999 - Introduced by Representatives HUBLER, LADWIG, KREUSER, ZIEGELBAUER, M. LEHMAN, STASKUNAS, SKINDRUD and BOYLE, cosponsored by Senators JAUCH and FARROW. Referred to Committee on State Affairs.

1     **AN ACT to create** 125.51 (4) (c) and (d) of the statutes; **relating to:** the effect of  
2             annexation or detachment of territory on a municipality's quota of "Class B"  
3             intoxicating liquor licenses.

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### *Analysis by the Legislative Reference Bureau*

Current law prohibits a person from selling alcohol beverages at retail to a consumer unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the sale of intoxicating liquor at retail for consumption on the premises where sold and is issued for specific fixed premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. The quota is increased based on population increases; one new license is authorized for each 500 population increase.

This bill modifies the number of "Class B" licenses that a municipality may issue based on annexation or detachment of territory containing premises for which a "Class B" license is issued. If a municipality that has reached its quota annexes territory containing premises for which a "Class B" license is issued, the annexing municipality's quota is increased by the number of annexed "Class B" licenses. The population gained by annexation is also counted as a population increase for purposes of increasing the annexing municipality's quota. Conversely, the quota of a municipality from which territory has been detached by annexation is reduced by the number of detached "Class B" premises, unless the reduction would leave the

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municipality with less than one “Class B” license per 500 population or with less than one “Class B” license.

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

1           **SECTION 1.** 125.51 (4) (c) and (d) of the statutes are created to read:

2           125.51 (4) (c) If territory containing premises covered by a license or reserve  
3 “Class B” license is annexed to a municipality and if the municipality’s quota would  
4 not otherwise allow a license or reserve “Class B” license for the premises, the quota  
5 is increased to include the license or reserve “Class B” license of each premises in the  
6 annexed territory.

7           (d) Detachment of territory shall decrease the quota of the remainder of the  
8 municipality by the number of premises covered by a license or reserve “Class B”  
9 license existing in the detached territory, except that detachment shall not decrease  
10 the quota of the remainder to less than one license per 500 persons or less than one  
11 license.

12           **SECTION 2. Initial applicability.**

13           (1) This act first applies to territory annexed or detached on the effective date  
14 of this subsection.

15   **(END)**