$\begin{array}{c} LRB-3680/1 \\ ARG:jld:rs \end{array}$

2009 ASSEMBLY BILL 626

December 18, 2009 – Introduced by Representatives Jorgensen, Ballweg, Hintz, Parisi, Van Akkeren and Zepnick, cosponsored by Senator Taylor. Referred to Committee on Urban and Local Affairs.

AN ACT to create 125.51 (4) (w) 5. of the statutes; relating to: allowing the city of Fort Atkinson to exceed its retail liquor license quota by issuing two additional retail licenses.

Analysis by the Legislative Reference Bureau

Current law prohibits a person from selling alcohol beverages at retail unless the seller possesses a license or permit authorizing the sale. A "Class B" license authorizes the retail sale of intoxicating liquor for consumption on the retail premises and, subject to various restrictions, the retail sale of intoxicating liquor in original packages for consumption off the retail premises. Current law imposes a quota on the number of "Class B" licenses that a municipality may issue. This quota is generally determined by a formula based on the number of licenses previously issued by the municipality and the municipality's population. Current law also provides a limited number of quota exceptions.

This bill allows the city of Fort Atkinson to issue, for restaurants, two "Class B" licenses in addition to the "Class B" licenses authorized under the city's quota. These licenses may be renewed, but if such a license is surrendered, not renewed, or revoked, the city cannot reissue the license. The city also cannot issue these licenses later than approximately six months after the bill's effective date.

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For further information see the local fiscal estimate, which will be printed as an appendix to this bill.

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

Section 1. 125.51 (4) (w) 5. of the statutes is created to read:

125.51 (4) (w) 5. Notwithstanding pars. (am) to (d) and s. 125.185 (5), the city of Fort Atkinson in Jefferson County may issue, for restaurants, 2 "Class B" licenses in addition to the number of licenses determined for the city's quota under pars. (b) to (d). No "Class B" license may be issued under this subdivision after the first day of the 7th month beginning after the effective date of this subdivision [LRB inserts date]. If a "Class B" license issued under this subdivision is surrendered to the issuing city, not renewed, or revoked, the city may not reissue the license and the license may not be transferred under s. 125.04 (12) (b).

SECTION 2. Initial applicability.

(1) This act first applies to the issuance of "Class B" licenses on the effective date of this subsection.

13 (END)