

AB433 - Extended hours for wineries / alcohol license requirements/impact on wedding barns

Below is an email from the Department of Administration sent to wineries and barn owners urging them to essentially oppose the compromise language contained in AB 433 which would require all businesses dispensing beer or liquor to obtain the appropriate license – just like everyone else and the Office of Business Development should be looking out for the interests of all businesses not just a select segment.

Please contact your State Senator and urge them to support AB 433. Also, if you have not yet made plans to come to Legislative Day please do as we will be discussing this issue in detail.

Contact your State Senator today: <https://docs.legis.wisconsin.gov/2017/legislators/senate>

----- Forwarded message -----

From: **Mistele, Nancy M - DOA** <Nancy.Mistele@wisconsin.gov>

Date: Mon, Feb 26, 2018 at 1:29 PM

Subject: AB433 - Extended hours for wineries / alcohol license requirements/impact on wedding barns

To:

Winery & Wedding Venue Owner:

AB433 provides for extended hours for wineries as requested by this industry. I was contacted by several barn owners with concerns about the bill's amendments and the impact on what has become known as 'wedding barns.' I reached out to get some clarification on the bill as it stands now.

At requested, I've asked for some clarification on the bill. My questions are in black below and the responses received are in red.

Note there is likely to be no additional public hearings on this bill so if you would like to register concerns you'll need to reach out to the Senate. Share out as you see fit.

If you want your Senator to consider the impact to your business as constituents you may want to contact him/her with your concerns. I've provided a [link here where you'll be able to locate the information for your Senator](#).

[AB433 as amended has passed the assembly](#) - Does the Senate need to review OR will there be public hearings about this? **This bill still needs to be passed Senate. There will likely not be a public hearing, as the bill has already had a public hearing in the senate. The senate public hearing was 6/28/17.**

Questions:

1 – does the bill allow wineries extended hours?

Yes, the bill as amended and passed in the Assembly, allows wineries holding "Class B" licenses to remain open for the sale of wine until 12:00 a.m. (midnight).

2 – does this bill prevent wedding barn owners from allowing renters from bringing alcohol onsite?

Yes, the bill as amended prohibits an owner or person in charge of property (who receives payment for the temporary use of the property) on which private events (such as a wedding) are held from allowing consumption of alcohol beverages on the property unless the person has an alcohol beverage license or permit. Once the property is licensed or permitted, all alcohol beverages sold or possessed on the licensed or permitted premises must be purchased by the licensee/permittee (the owner or person in charge of the property). Carry-ins of alcohol beverages will not be allowed

3 – does this bill require all barn owners to have a liquor license for there to be any alcohol on premise?

Yes, this bill as amended will require barn owners to obtain an alcohol beverage license, if alcohol beverages are consumed on the barn property.

If a caterer has a liquor license will that suffice?

No, a caterer's license will not suffice. A caterer obtains a license for a specific described premises where they may sell alcohol beverages in a face-to-face transaction on the licensed premises. The caterer's license does not allow sales of alcohol beverages off the caterer's licensed premises, at a wedding barn, or anywhere else (licenses do not travel).

4 – Is the number of liquor licenses available infinite and they will not be allowed to apply and receive one?

State law imposes a quota on the number of "Class B" (intoxicating liquor) licenses that may be issued by a municipality, there is no state limit on the number of Class "B" (beer) licenses that may be issued by as municipality. There is also no state imposed limit on the number of "Class C" (wine) licenses that may be issued by a municipality. "Class C" licenses may only be issued to restaurants. (Although a municipality could choose to limit by municipal ordinance, the number of Class "B" or Class "C" licenses issued by the municipality, state law does not limit the number of Class "B" or "Class C" licenses that are available within a municipality.

Will these licenses be cost prohibitive?

Annual license fees charged for alcohol beverage licenses are established by the municipality within a statutory minimum and maximum. For example:

- Class "B" (beer) licenses - \$100 maximum, no minimum

- "Class B" (intoxicating liquor) licenses - \$500 maximum, \$50 minimum
- "Class B" reserve liquor licenses - an initial issuance fee not less than \$10,000 plus the annual license fee for a "Class B" license
- "Class C" (wine) license - \$100 maximum, no minimum.

A Class "B" (beer) license and "Class C"(wine) license would both be required in order to sell both beer and wine. Alternatively a Class "B"(beer) license AND "Class B" (liquor) license would also allow sales of beer and wine.

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