
Wisconsin Legislative Council

AMENDMENT MEMO



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2023 Assembly Bill 304

**Assembly
Amendment 2**

2023 ASSEMBLY BILL 304

2023 Assembly Bill 304 makes numerous changes relating to the regulation of alcohol beverages under ch. 125, Stats. (Wisconsin’s alcohol beverages chapter).

As relevant to Assembly Amendment 2, the bill creates the Division of Alcohol Beverages (DAB) within the Department of Revenue (DOR) and assigns to DAB the authority to regulate and enforce Wisconsin’s alcohol beverages chapter. The bill provides that the DAB administrator is appointed outside of the classified service, the state’s civil service system; nominated by the DOR secretary and confirmed with the advice and consent of the Senate; and serves at the pleasure of the DOR secretary. The bill creates three bureaus within DAB and transfers positions from DOR to DAB. The DAB administrator and bureau directors are subject to the state’s standards of conduct and conflict of interest prohibitions under the state’s ethics code that are applicable to state public officials. They may not be employed by, or have a financial interest in, the alcohol beverages industry.

ASSEMBLY AMENDMENT 2

Assembly Amendment 2 changes the title of certain occupations for purposes of state employment laws. First, for purposes of benefits under the Wisconsin Retirement System, it changes the title of one of the positions considered to be a protective occupation participant from an excise tax investigator employed by DOR to a special agent employed by DOR with arrest powers as provided under state law.

The amendment also makes a similar change related to positions in state employment that are eligible for hazard pay.

Finally, the amendment modifies a provision of the bill that prohibits the DAB administrator and employees from being employed by or having “a financial interest in the alcohol beverages industry or any business subject to the division’s jurisdiction.” Assembly Amendment 2 specifies that the administrator and employees are prohibited from having a “substantial” financial interest.

BILL HISTORY

Representative Vos offered Assembly Amendment 2 on June 21, 2023. Also on June 21, 2023, the Assembly voted to adopt Assembly Amendment 2 on a voice vote, and pass the bill, as amended, on a vote of Ayes, 90; Noes, 4.

For a full history of the bill, visit the Legislature’s [bill history page](#).

TK:ksm