

**WISCONSIN DEPARTMENT OF REVENUE
DIVISION OF INCOME, SALES, AND EXCISE TAX**

NOTICE OF PROPOSED GUIDANCE DOCUMENTS

Pursuant to sec. 227.112, Wis. Stats., the Wisconsin Department of Revenue, Division of Income, Sales, and Excise Taxes hereby seeks comment on the proposed guidance document listed in the table below.

SUBMITTING PUBLIC COMMENTS

Public comments on proposed or adopted guidance documents may be submitted online at: <https://www.revenue.wi.gov/Pages/contactUs/proposed-Guidance.aspx>.

DEADLINE FOR SUBMISSION

The period for public comment for proposed guidance documents ends 21 days after publication in the Administrative Register, unless the Governor approves a shorter commenting period.

Document Number	Document Title
100261	Alcohol Beverage Guidelines and Information Related to COVID-19 - Information Article



Alcohol Beverage Guidelines and Information Related to COVID-19

This is a proposed guidance document. The document has been submitted to the Legislative Reference Bureau for publication in the Administrative Register for public comment as provided by sec. 227.112(1), Wis. Stats.

This guidance document clarifies Emergency Order #8 for the permissible production, distribution and sale of alcohol beverages during the COVID-19 pandemic.

- Brewers, manufacturers (distilleries), rectifiers, Class "A" beer, "Class A" liquor, Class "B" beer, and "Class B" liquor license holders may sell alcohol beverages in original, sealed containers on a "carry-out" basis only, and only where permitted by municipal ordinance. Breweries and Class "B" beer license holders may continue to sell growlers of beer for "carry-out" only. Class "A" and "Class A" license holders may not offer samples of alcohol beverages for consumption on the premises.
 - All sales of alcohol beverages must occur in a face-to-face transaction.
 - Establishments must abide by applicable state and/or municipally-imposed closing hours for "carry-out" sales.
 - Patrons may enter the establishments only for the purposes of picking up and paying for food or beverages, unless the establishment is identified as exempt in the Emergency Order (e.g., grocery stores, convenience stores, hotels, motels, etc.).
 - Lines for "carry-out" must have an environment where patrons and staff maintain social distancing (six feet away from other people), and establishments must abide by the prohibition on gatherings of 10 people per Department of Health Services order.
 - Permittees wishing to amend their premises may submit requests to DOR, where they will be expeditiously considered. Licensees should work with their municipalities to amend their premises. Municipalities are encouraged to work with licensees to expedite such requests, given the emergency.
- Wineries holding retail licenses may sell alcohol beverages in original, sealed containers on a "carry-out" basis only, and consistent with both their existing license authorizations and the clarifications above for other establishments.
 - Wineries must abide by state and/or municipally-imposed closing hours for "carry-out" sales.
 - Wineries holding direct wine shipper's permits may continue to ship or deliver wine directly to consumers and in accordance with all other regulations pertaining to direct shipments of wine by wineries.
- "Class C" licensees may not offer "carry-out" sales of wine.

- Producers of alcohol beverages (breweries, brewpubs, wineries, manufacturers, and rectifiers) may continue to manufacture and/or rectify alcohol beverages in accordance with their permit(s). Producers may also continue to self-distribute alcohol beverages to retailers, as allowed by law.
- Wholesalers of alcohol beverages may continue to make sales to licensed or permitted retailers and to other wholesalers, as permitted by law.

If you are unable to find an answer to your alcohol beverage question on the department's website, you may email, write, or call the department.

Visit our website: revenue.wi.gov

Email: DORAlcoholTobaccoEnforcement@wisconsin.gov

Write: Wisconsin Department of Revenue
Alcohol & Tobacco Enforcement
P.O. Box 8933
Madison, WI 53708-8933

Telephone: (715) 842-2343

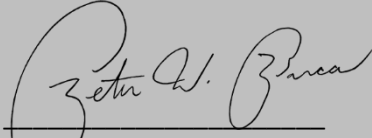
Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations in effect as of March 20, 2020: Ch. 125, Wis. Stats. Laws enacted and in effect after March 20, 2020, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to March 20, 2020, that is contrary to the information in this document is superseded by this document, pursuant to sec. 73.16(2)(a), Wis. Stats.

Certification Statement

As the Secretary of the Wisconsin Department of Revenue (DOR), I have reviewed this guidance document or proposed guidance document and I certify that it complies with secs. 227.10 and 227.11, Wis. Stats. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is not explicitly required or explicitly permitted by a statute or rule that has been lawfully promulgated. I further certify that the guidance document or proposed guidance document contains no standard, requirement, or threshold that is more restrictive than a standard, requirement, or threshold contained in the Wisconsin Statutes.

DEPARTMENT OF REVENUE



Peter Barca

Secretary of Revenue

Guidance Document Number 100261

Last updated March 20, 2020