



State of Wisconsin  
2019 - 2020 LEGISLATURE

LRB-0716/1  
ARG:cdc&emw

## 2019 BILL

1     **AN ACT** *to create* 125.02 (4r), 125.32 (8) and 125.68 (10) (c) of the statutes;  
2             **relating to:** requiring reports by common carriers shipping alcohol beverages  
3             into this state.

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### *Analysis by the Legislative Reference Bureau*

This bill is explained in the NOTES provided by the Joint Legislative Council in the bill.

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

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

JOINT LEGISLATIVE COUNCIL PREFATORY NOTE: This bill was prepared for the Joint Legislative Council's Study Committee on Alcohol Beverages Enforcement.

The bill requires any common carrier that transports into and delivers within the state any fermented malt beverages (beer) or intoxicating liquor (distilled spirits and wine, "liquor") to submit a monthly report to the Department of Revenue (DOR) in the form and manner prescribed by DOR. The report must be submitted no later than the 15th day of the month and must include all of the following information for each shipment of beer or liquor during the preceding month:

- The name and address of the manufacturer of the beer or liquor.
- The name and address of the consignor of the shipment, if different from the manufacturer.

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- The name and address of the consignee of the shipment.
- The date of the shipment.
- The quantity of the beer or liquor shipped to the consignee.

The reporting requirement created by the bill first applies to shipments of alcohol beverages into the state occurring on the first day of the 3rd month after the bill takes effect. The bill requires the DOR to keep the information reported confidential in the same manner as it keeps tax returns confidential. However, DOR may use aggregated or summary information for reports that it prepares.

1           **SECTION 1.** 125.02 (4r) of the statutes is created to read:

2           125.02 (4r) “Common carrier” has the meaning given in 15 USC 375 (3).

3           **SECTION 2.** 125.32 (8) of the statutes is created to read:

4           125.32 (8) COMMON CARRIER SHIPMENTS INTO STATE. (a) No later than the 15th  
5           day of each month, any common carrier that transports into and delivers within this  
6           state any fermented malt beverages shall submit a verified report to the department,  
7           in the form and manner prescribed by the department, that includes all of the  
8           following information for each shipment of fermented malt beverages during the  
9           preceding month:

10           1. The name and address of the person that manufactured the fermented malt  
11           beverages.

12           2. The name and address of the consignor of the shipment, if different from the  
13           person that manufactured the fermented malt beverages.

14           3. The name and address of the consignee of the shipment.

15           4. The date of the shipment.

16           5. The quantity of fermented malt beverages shipped to the consignee.

17           (b) The department shall keep confidential, in the same manner required for  
18           tax returns under s. 71.78 (1) and (5) to (8), reports submitted under par. (a), but the  
19           department may use aggregated or summary information from such reports for  
20           purposes of s. 139.11 (4) (a).

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1 (c) Nothing in this subsection alters the requirement that a person shipping  
2 fermented malt beverages into this state obtain all required permits under this  
3 chapter prior to shipment. Nothing in this subsection grants a manufacturer or  
4 shipper of fermented malt beverages independent authority to ship fermented malt  
5 beverages into this state.

6 **SECTION 3.** 125.68 (10) (c) of the statutes is created to read:

7 125.68 (10) (c) 1. No later than the 15th day of each month, any common carrier  
8 that transports into and delivers within this state any intoxicating liquor shall  
9 submit a verified report to the department, in the form and manner prescribed by the  
10 department, that includes all of the following information for each shipment of  
11 intoxicating liquor during the preceding month:

12 a. The name and address of the person that manufactured or rectified the  
13 intoxicating liquor.

14 b. The name and address of the consignor of the shipment, if different from the  
15 person that manufactured or rectified the intoxicating liquor.

16 c. The name and address of the consignee of the shipment.

17 d. The date of the shipment.

18 e. The type and quantity of intoxicating liquor shipped to the consignee.

19 2. The department shall keep confidential, in the same manner required for tax  
20 returns under s. 71.78 (1) and (5) to (8), reports submitted under subd. 1., but the  
21 department may use aggregated or summary information from such reports for  
22 purposes of s. 139.11 (4) (b).

23 3. Nothing in this paragraph alters the requirement that a person shipping  
24 intoxicating liquor into this state obtain all required permits under this chapter prior  
25 to shipment, including any permit under s. 125.535. Nothing in this paragraph

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1 grants a manufacturer, rectifier, or shipper of intoxicating liquor, including a winery,  
2 independent authority to ship intoxicating liquor into this state.

3 **SECTION 4. Initial applicability.**

4 (1) This act first applies to shipments of alcohol beverages into this state  
5 occurring on the first day of the 3rd month beginning after the effective date of this  
6 subsection.

7 (END)