



WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

2005 Senate Bill 415

Senate Amendment 1

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Among other things, **Senate Bill 415** prohibits a wholesaler from selling, transporting, or delivering any brand of fermented malt beverages unless the wholesaler has entered into a written agreement with the brewer or out-of-state shipper supplying the brand. The written agreement must grant the wholesaler distribution rights for the brand and identify the designated sales territory for which such distribution rights are granted, including the precise geographical area comprising the designated sales territory. The bill prohibits the brewer or out-of-state shipper in any such agreement from granting to more than one wholesaler the distribution rights for the same brand in the same designated sales territory or in any part of the same designated sales territory.

Senate Amendment 1 adds the condition that, if the wholesaler and the brewer or out-of-state shipper referred to in the first sentence of the above paragraph are the same person:

- They must “maintain in writing the information specified” for the written agreement, instead of entering into a written agreement.
- They are, in the writing referred to in the previous bullet, subject to the prohibition against a brewer or out-of-state shipper granting to more than one wholesaler the distribution rights for the same brand in the same designated sales territory or in any part of the same designated sales territory.

Legislative History

Senate Amendment 1 was offered by Senator Brown. On November 4, 2005, the Senate Committee on Veterans, Homeland Security, Military Affairs, Small Business and Government Reform recommended adoption of Senate Amendment 1, and passage of Senate Bill 415 as amended, both on votes of Ayes, 5; Noes, 0.

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