

INSTRUCTIONS FOR WISCONSIN LIQUOR/WINE PERMITTEES

WHO NEEDS A WISCONSIN LIQUOR/WINE PERMIT

You must obtain a Wisconsin liquor permit if you will:

1. Manufacture, rectify, blend, or bottle distilled spirits or wine in Wisconsin.
2. Sell distilled spirits or wine at wholesale, including shipping or invoicing such products from a location in Wisconsin.
3. Import distilled spirits or wine into Wisconsin through U.S. Customs.

If you do business from more than one location in Wisconsin, you must obtain a separate permit for each location. For example, you must submit a separate application for each location from which you manufacture or ship liquor in Wisconsin, as well as the location from which invoices are issued.

HOW TO OBTAIN A WISCONSIN LIQUOR/WINE PERMIT

Complete each form enclosed with this application carefully. Missing or incomplete information will delay the issuance of your permit(s). You may reproduce any of the accompanying forms.

Before you mail your application, verify you have enclosed ...

1. A fully completed application (Form AB-115, Wisconsin Liquor/Wine Application), for each permit requested.
2. The appropriate fee for each permit.
3. A surety bond guaranteeing payment of the distilled spirits and wine tax to the department.
4. A Salesperson's Permit Application (Form AB-121) and \$20 Business Tax Registration (BTR) fee for each salesperson.

WHOLESALE PERMIT INFORMATION

To qualify for a wholesaler's permit, you must meet the following criteria:

1. The premises described in the permit shall be a minimum of 1,000 square feet of floor space and shall be located in a free-standing building that is not part of or connected to a premises covered by a retail license or permit issued under sec. 125.51, Wis. Stats.
2. You must sell and deliver intoxicating liquor to at least 10 retail licensees or permittees that do not have any direct or indirect interest in each other or in the applicant.
3. Any intoxicating liquor sold shall be physically unloaded at the premises described in the permit or at any warehouse premises for which the permittee holds a permit prior to being delivered to a retail licensee or to another wholesaler.

FEE FOR WISCONSIN LIQUOR/WINE PERMIT

Fees are listed on page 3 of the application. Fees are bi-annual and apply to new permits and permit renewals.

Note: Permit fees cannot be prorated and are not refundable.

RENEWAL OF WISCONSIN LIQUOR/WINE PERMITS

Your permit must be renewed every two years. The department will send the BTR renewal notice when the permits and certificates subject to BTR provisions approach their expiration date. The expiration date will vary from taxpayer to taxpayer. Normally, the expiration date is two years from the end of the month in which you applied for your permit/certificate. The Secretary of Revenue may revoke a permit prior to its renewal date for just cause.

Permittees with outstanding fees and/or monthly reports may not renew any permit until all fees are paid and any missing reports filed.

LABEL APPROVAL

No liquor product may be sold or shipped in Wisconsin until the federal government has approved the labels that appear on the product container. Do not submit copies of your federal label approval to the Wisconsin Department of Revenue.

SECURITY

If you manufacture, rectify, blend, or bottle distilled spirits or wine in Wisconsin or import distilled spirits or wine through U.S. Customs, you must post security. The security guarantees your payment of the distilled spirits and wine taxes to the department. The security must be twice your monthly estimate of your maximum Wisconsin distilled spirits and wine tax liability. The security may not be less than \$1,000 nor more than \$100,000. You must post security while doing business in Wisconsin.

SALESPERSON'S PERMIT

A salesperson's permit is required if you intend to have any agent, salesperson, or other representative personally soliciting orders in Wisconsin. A salesperson's permit must be obtained for each person who will be soliciting orders.

A permit will not be granted to any person who has an interest, either as an employe or owner, in a Wisconsin retail establishment that sells distilled spirits and/or wine.

Members of any Wisconsin municipal governing body (for example, a village board or city common council) who obtain a salesperson's permit are prohibited from selling or offering to sell liquor products to any retail establishment in that municipality.

The fee for this permit is \$20. There is a \$10 renewal fee. The fee cannot be prorated or refunded.

This permit expires every two years.

ASSISTANCE AND FORMS

Information, forms, and assistance are available at our Madison office:

2135 Rimrock Road
Madison WI 53713
(608) 261-6435
Fax (608) 261-7049

or write to:

Mail Stop 5-107
PO Box 8900
Madison WI 53708-8900
E-mail: excise@revenue.wi.gov

INTERNET ADDRESS

You can access the department's website 24 hours a day, seven days a week, at www.revenue.wi.gov. From this website, you can:

- Complete electronic fill-in forms
- Download forms, schedules, instructions, and publications
- View answers to frequently asked questions
- E-mail us for assistance

RESPONSIBILITIES OF A PERMITTEE

If you are issued a liquor/wine permit, you have several statutory obligations which you must carry out in order to retain your permit. These responsibilities are outlined below:

1. FILING MONTHLY REPORTS

A monthly report, Wisconsin Distilled Spirits/Wine Tax Report (Form AB-130), and schedules must be filed with the department covering all transactions which occurred during the month. A report must be filed even though you have no transactions during the month. All intoxicating liquor tax reports and returns are required to be filed electronically with the department via a web page or with an xml bulk transfer schema. More information about the electronic filing methods can be found at www.revenue.wi.gov/html/liquor.html.

This report is due 15 days after the close of the month and it must be received by the department within five days of the due date.

BRAND AND TYPE LISTINGS - Permittees liable for tax on distilled spirits must submit with each monthly report a listing of distilled spirits sold in Wisconsin that month, Form AB-132.

2. PAYING THE TAX

The tax rates are as follows:

WINE - 14% or less alcohol by volume - 6.605¢ per liter
more than 14% alcohol - 11.89¢ per liter

DISTILLED SPIRITS - 85.86¢ per liter (plus an administrative fee of 2.906¢ per liter)

APPLE CIDER - 7% or less 1.71¢ per liter

The tax on wine and distilled spirits (plus fee) is computed on and paid with your monthly report.

All reports not timely filed are subject to a \$10 late filing penalty and a penalty of 5% of the tax due for each month the tax is unpaid (not exceeding 25% of the tax due). Any tax not paid by the due date is subject to interest at the rate of 1.5% per month until paid.

Failure to timely submit your monthly reports may result in the department initiating proceedings to revoke your permit.

3. PURCHASING AND SELLING LIQUOR

You may only purchase liquor from:

- Other licensed Wisconsin liquor wholesalers or wineries.
- Persons located outside Wisconsin holding an out-of-state shipper's permit issued by the Department of Revenue.
- Persons located outside the United States.

You may only sell liquor to:

- Other licensed Wisconsin liquor wholesalers or wineries.
- Persons located in other states holding that state's permit to purchase liquor products at wholesale from out-of-state sources.
- Persons located outside the United States.
- Wisconsin retailers properly licensed with their local municipality.

Caution: Purchases from or sales to any unauthorized person are subject to confiscation. In addition, your permit may be revoked.

4. KEEPING COMPLETE AND ACCURATE RECORDS

You must keep adequate records so that the department can verify your report was properly completed and the correct amount of tax paid. Such records must be kept for four years and in a place and manner easily accessible for review by department personnel.

5. RESPONSIBLE FOR ACTIONS OF SALESPERSONS

All permittees are responsible for the actions of their salespersons. Your permit may be in jeopardy if any of your salespersons violate the Wisconsin liquor laws and regulations.

6. REPORTING NAME/ADDRESS/OWNERSHIP CHANGES OR CEASING OPERATIONS

Notify us immediately (in writing) when your business undergoes any of the following changes mentioned below.

A. *Name Change* - Send us:

- A new application, Form AB-115, showing name change.
- A rider from your surety bonding company showing your new business name.

B. *Address Change* - Complete an address change form, Form AB-163, provided by this department. There is a \$10 charge for your first address change during a calendar year and the full permit fee charge for each additional address change during the same year. These charges are statutory.

C. *Ownership Change* - Submit the following:

- Application for liquor permit (plus fee). Your old permit is not transferable to the new business.
- Application (plus \$20 fee) for each salesperson personally soliciting orders in Wisconsin.
- Auxiliary questionnaires, page 7, prepared by each individual, partner, corporate officer, director, and agent.
- Statement of brand franchise and sales area designation, page 8.
- Security guaranteeing payment of the distilled spirits and wine tax to the department.

Examples of ownership changes include:

- Sole proprietorship to a partnership or corporation.
- Partnership to a sole proprietorship or corporation.
- Partner being added to or dropped from a partnership. Partnerships that add or drop partners must notify the department in writing of the change in partners. If a new Federal Employer Identification Number is assigned, you must apply for a new permit.
- Death of sole proprietor.
- Business sold.
- Changes in stock ownership where another person becomes the owner of more than 10% of the voting shares (25% or more of voting shares if there are four or fewer shareholders).

The change of corporate officer, director, or agent is not regarded as a change in ownership. However, an auxiliary questionnaire must be filed by the new officer, director, or agent.

D. *Ceased Operations* - You must:

- Return your liquor/wine permit to the department.
- Indicate the last day you operated in Wisconsin.
- File a final monthly report showing all transactions made during your final month of business. Indicate Final on that report, Form AB-130, above your name.

KEEP THESE INSTRUCTIONS FOR FUTURE REFERENCE

DEPARTMENT USE ONLY

Permit Number
Period Covered
Date of Issuance

WISCONSIN LIQUOR/WINE PERMIT APPLICATION

Wisconsin Department of Revenue
 Mail Stop 5-107
 PO Box 8900
 Madison WI 53708-8900
 Phone (608) 261-6435
 Fax (608) 261-7049

Legal Name (corporation, limited liability company, partnership, or individual)	Federal Employer ID Number	Social Security Number <i>(required if sole proprietorship or individual)</i>	
Business Name (DBA) (if different than Legal Name)	Telephone Number	Business Telephone Number	
Business Address (Do not use PO Box)	City or Post Office	State	Zip Code
Mailing Address (if different than Business Address)	City or Post Office	State	Zip Code
Business Located In: <input type="checkbox"/> City <input type="checkbox"/> Village of: _____ <input type="checkbox"/> Town _____ (check one and indicate county) In the Wisconsin county of: _____			

1. Type of Permit - This permit is required to sell liquor/wine from a premise in Wisconsin. Enclose \$20 Business Tax Registration Fee and Supplemental Fee (if applicable).

	Supplemental Fee	Business Tax Registration Fee (if applicable)	Governing Statute
<input type="checkbox"/> Manufacturer	\$1,000	\$20	125.52
<input type="checkbox"/> Wholesaler	\$1,000	\$20	125.54
<input type="checkbox"/> Rectifier	\$1,000	\$20	125.52
<input type="checkbox"/> Winery	\$200	\$20	125.53
<input type="checkbox"/> Wisconsin Wholesale Alcohol	-0-	\$20	125.60

2. Organization (check one)

<input type="checkbox"/> Sole Proprietor <input type="checkbox"/> Partnership <input type="checkbox"/> Wisconsin Corporation - Enter date incorporated: _____ <input type="checkbox"/> Out-of-State Corporation - Are you licensed to do business in Wisconsin? <input type="checkbox"/> Yes <input type="checkbox"/> No <input type="checkbox"/> Other - Describe: _____ _____ _____	<input type="checkbox"/> Governmental Unit (check appropriate box) <input type="checkbox"/> Federal <input type="checkbox"/> County <input type="checkbox"/> Wisconsin State <input type="checkbox"/> Local <input type="checkbox"/> Limited Liability Company - Enter date registered with the Department of Financial Institutions: _____ For federal income tax purposes, will the LLC be taxed as a: <input type="checkbox"/> Partnership <input type="checkbox"/> Corporation <input type="checkbox"/> Single member LLC disregarded as a separate entity
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3. Have you as a sole proprietor, partner(s), limited liability company member(s), or corporate officer(s):

(a) Held, or now hold, a permit or certificate issued by the Wisconsin Department of Revenue? Yes No
 If yes, indicate: Type of permit or certificate _____ Permit or certificate number _____
 Location for which it was issued _____
(street address, city, state, zip code)

(b) Been convicted of violating federal or state laws or local ordinances other than traffic violations: Yes No
 If Yes, check type: Federal State Local Ordinances
 Indicate details of the violation, including nature of violation, date, place, court, and disposition. _____

(c) If you have been convicted of a felony, describe the nature of the felony. If pardoned, give date and place of the pardon and attach a copy to the application. _____

(d) Are charges for any offense presently pending against you (other than traffic unrelated to alcohol beverages)? Yes No
 If Yes, check type: Federal State Local Ordinances
 Describe the status of the pending charges. _____

Complete reverse side and sign at bottom.

4. List name, social security number, home address, and title of all partners or principal officers of corporation.

Name	SS#	Street Address	City, State Zip	Title

5. Have you taken over the business of another permittee? Yes No If Yes, give name and address of predecessor.

Permit #

6. Indicate number and date of your:

Number

Date

Federal Basic Permit

Federal Occupational Tax Stamp

7. Premises Description - Describe buildings where the liquor/wine will be sold and stored. Include service and/or storage of liquor/wine and business records. Liquor and wine may only be sold from and stored on the premises described:

8. Square footage of the premises: _____

Check One: Property Owned by Applicant

Leased From _____

9. Contact Person Name:

Telephone Number:

10. Have you applied for, or do you possess or hold any interest directly or indirectly, in a retail license to sell liquor/wine? Yes No
If yes, give name and location:

If yes, explain:

11. Do you or does any officer, director, partner, member, or employe have any interest, directly or indirectly, in any other Wisconsin wholesale liquor permit or any retail liquor license? Yes No If yes, give names and details of interest held.

12. Have you made any arrangement or agreement with any out-of-state liquor/wine manufacturers or distillers for extension of credit beyond the usual thirty days? Yes No If yes, provide names and details:

13. Does any manufacturer, distiller, or out-of-state liquor business hold an ownership interest, stock, or otherwise in the business submitting this application? Yes No If yes, provide names and details.

14. Do you lease or rent real property to a Wisconsin retail liquor licensee? Yes No If yes, provide names and details:

15. Do you or an "immediate family member" have "effective control" of a Wisconsin retail liquor licensee? ("Immediate family member" means a spouse, a brother or sister [whole or half-blood relationship] or lineal descendant or spouse) ("Effective control" means either the power to direct the affairs of a retail liquor licensee or the actual direction of the affairs of a retail liquor license) Yes No

If yes, provide names and details:

16. Are you a member of a group of two or more corporations or limited liability companies, any one of which has "effective control" of a Wisconsin retail liquor license? Yes No If yes, provide names and details:

17. Will you be the "importer of record" with U.S. Customs of liquor/wine received from outside the United States? Yes No
If "yes" you will be required to obtain security (see instructions). Yes No

18. To Be Completed By Corporate/Limited Liability Companies Applicants Only

APPOINTMENT OF AGENT*

_____, is hereby given full authority and control of the premises described in the application for a permit and of the conduct of all business on the premises pertaining to liquor/wine. Such authority is intended to be broad enough to comply with all the provisions of sec. 125.04(6), Wis. Stats.

(Signature of Corporation President or Member of a Limited Liability Company)

(Print or Type Name of President/Member)

I accept appointment as agent for the corporation/limited liability company applying for the permit requested on this application.

Agent Sign Here →

Signature

Date

VERIFICATION

(Complete only ONE of the following three sections.)

INDIVIDUAL

I declare under the penalties of law that I am the applicant named and that the answers to the questions in this application and the attached Auxiliary Questionnaire are true, correct, and complete and that application has not been made for more than one other Wisconsin wholesaler, manufacturer, rectifier, winery, or wholesale alcohol permit.

INDIVIDUAL SIGN HERE	➔	Signature	Date
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PARTNERSHIP

_____ and _____
 declare under the penalties of law that we are members of a partnership consisting of themselves and _____
 _____ doing business under the legal name of _____
 _____ and that we have read the foregoing application and attached Auxiliary Questionnaires and know that each of the answers is true, correct, and complete and that application has not been made for more than one other Wisconsin wholesaler, manufacturer, rectifier, winery, or wholesale alcohol permit.

PARTNERS SIGN HERE	➔	Signature	Date
		Signature	Date

CORPORATION/LIMITED LIABILITY COMPANY

_____ and _____
 declare under the penalties of law that we are Officers/Members respectively of _____
 _____, a corporation/limited liability company registered _____
 (date)
 and existing under the laws of Wisconsin, with its principal place of business at _____
 and are authorized to make this application on behalf of said corporation/limited liability company and know that each of the answers in the foregoing application and attached Auxiliary Questionnaire is true, correct and complete, and that application has not been made for more than one other Wisconsin wholesaler, manufacturer, rectifier, winery, or wholesale alcohol permit.

PRESIDENT SIGN HERE	➔	Signature	Date
SECRETARY SIGN HERE	➔	Signature	Date

AUXILIARY QUESTIONNAIRE

Wisconsin Liquor Wholesaler, Winery Manufacturer, and Rectifier

To be completed by each individual, partner, member, and corporate officer, director, and agent. All questionnaires must be submitted with this application.

Name of Individual, Partner, Member, Officer, etc.		Date of Birth		Social Security Number
Home Address	City	State	Zip Code	Telephone Number ()

- YES NO Have you resided in Wisconsin for at least 90 continuous days prior to the date of filing this application?
- YES NO Have you applied for, or do you possess or hold any interest directly or indirectly in, a Wisconsin retail license to sell intoxicating liquor?
- YES NO Are you a member of any Wisconsin town or village board or common council of any municipality?
If YES, identify → Town Village City of _____
name of municipality
- YES NO Have you ever been convicted of violating federal or state laws or local ordinances other than traffic violations?
If YES, check type violated → Federal State Local Ordinances
Indicate details of the violation (nature, date, place, court, and disposition):

If you have been convicted of a felony for which you received a pardon, specify nature of felony, date, and place of pardon.

I declare under penalties of the law that I have examined this information and, to the best of my knowledge, it is true, correct, and complete.

Your Signature ▶	Date
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Wisconsin Department of Revenue

AUXILIARY QUESTIONNAIRE

Wisconsin Liquor Wholesaler, Winery Manufacturer, and Rectifier

To be completed by each individual, partner, member, and corporate officer, director, and agent. All questionnaires must be submitted with this application.

Name of Individual, Partner, Member, Officer, etc.		Date of Birth		Social Security Number
Home Address	City	State	Zip Code	Telephone Number ()

- YES NO Have you resided in Wisconsin for at least 90 continuous days prior to the date of filing this application?
- YES NO Have you applied for, or do you possess or hold any interest directly or indirectly in, a Wisconsin retail license to sell intoxicating liquor?
- YES NO Are you a member of any Wisconsin town or village board or common council of any municipality?
If YES, identify → Town Village City of _____
name of municipality
- YES NO Have you ever been convicted of violating federal or state laws or local ordinances other than traffic violations?
If YES, check type violated → Federal State Local Ordinances
Indicate details of the violation (nature, date, place, court, and disposition):

If you have been convicted of a felony for which you received a pardon, specify nature of felony, date, and place of pardon.

I declare under penalties of the law that I have examined this information and, to the best of my knowledge, it is true, correct, and complete.

Your Signature ▶	Date
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