

DORON TAP

The Division of Alcohol Beverages (DAB) has experienced significant growth and positive changes this quarter. We are thrilled to introduce three outstanding new Special Agents as team members who bring a wealth of law enforcement experience and dedication to public service. Additionally, we're pleased to announce a newly assigned attorney working on DAB issues. Please join us in welcoming our newest colleagues and celebrating this exciting period of transition and growth.

Special Agent Mike O'Keefe

Mike brings an impressive 16 years of law enforcement experience to his new role with our Division. Most recently, Mike served as a sergeant with the St. Croix Valley Drug Task Force, capping off a distinguished 12-and-a-half-year career with the St. Croix County Sheriff's Office. Prior to his time in St. Croix County, he worked with the Fitchburg Police Department, further building his law enforcement expertise. Mike's commitment to service extends beyond his law enforcement career—he is also a veteran of the United States Marine Corps. Mike brings both local knowledge and diverse professional experience to our team.

Special Agent Brad Davis

Brad's career has been marked by dedication to public service, beginning with three years of active duty as an Infantryman in the United States Army. Following his military service, Brad spent six and a half years with the UW-Madison Police Department, where he served in multiple specialized roles including explosives K9 Handler, Community Officer, Training Officer, and EVOC instructor.

Special Agent Jake Seuferer

Jake Seuferer has served as an officer with the Janesville Police Department, gaining diverse experience through various assignments. These include two years with the Street Crimes Unit, approximately a year and a half as a Task Force Officer with the ATF, and most recently as a Patrol Sergeant. Jake has also contributed to law

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A Wisconsin Alcohol Industry Update

NEW DAB
ENFORCEMENT ROLE

HARVEST SEASON
WITH A KICK

COMING SOON:
ONLINE APPLICATIONS

INTEREST RESTRICTION
AFFIDAVITS

LICENSE REVOCATIONS,
SUSPENSIONS, AND
NON-RENEWALS

MANDATORY
LICENSING
ORDINANCES

FORM AT-827
REMINDER

SPIRITS, SWEETS, &
STATUTES



enforcement training as an instructor at the Blackhawk Technical College law enforcement academy.

Aaron Wegner | DAB Attorney

We are pleased to introduce Aaron Wegner as the attorney assigned to DAB work. Aaron brings extensive legal expertise with 19 years of experience as a federal prosecutor in Arizona, California, and Madison. His background includes significant experience litigating criminal tax fraud cases with the IRS, providing him with valuable knowledge that will serve the Division well in its regulatory and enforcement responsibilities.

Staffing Update

During the previous edition of DOR

On Tap, we shared the sad news that our very first DAB Administrator, Mark Meyer, had retired. While Mark left a lasting impression on DAB, we're pleased to announce that Tyler Quam, a familiar face to many, is now serving as Acting Administrator of the Division. Tyler has served various roles in enforcement for the previous 15 years and is committed to working with stakeholders on engagement and solving complex alcohol beverage issues throughout the state.

Please join us in welcoming Mike, Brad, Jake, and Aaron to the Division of Alcohol Beverages. Their extensive experience and dedication to public service will be tremendous assets as we continue our mission.

New DAB Enforcement Role

The passage of 2023 Wisconsin Act 73 made significant updates to alcohol beverage laws in Chapter 125 of the Wisconsin Statutes. Among those updates was the creation of permits, regulations, and reporting requirements for fulfillment houses and common carriers. This law change represents Wisconsin's effort to modernize regulation over direct-to-consumer alcohol beverage shipments and ensure accountability in the logistics chain.

The 2025-2027 Biennial Budget funded a new employee position that will specialize in these unique permit investigations as well as other types of investigations such as online sales of alcohol beverages, tied house and trade practice investigations, out-of-state shipments of alcohol beverages, and other investigations of statewide concern.

We are excited to announce that these duties have been assigned to Special Agent Erin Dorn. Special Agent Dorn, headquartered out of the Milwaukee office, has served the Division since its creation in 2024, after previously serving over 12 years with the DOR Alcohol & Enforcement Unit. She has extensive knowledge of the law and a commitment to serve the State of Wisconsin and provide fair treatment to Wisconsin taxpayers. Special Agent Dorn will create this assignment from the ground up, with the guidance of leadership, to proactively enforce areas of law that were under-addressed or simply reactive. We are excited to see the difference that can be made with Special Agent Dorn focusing on shipping, online sales, and tied house and trade practice investigations!

If you suspect violations of Wisconsin alcohol beverage laws, especially those related to potentially illegal online sales of alcohol beverages or out-of-state shipments, we'd like to hear from you. Please use our online [Alcohol Beverage Complaint](#) form.

Harvest Season With a Kick: What Seasonal Businesses Need to Know

Autumn in Wisconsin brings pumpkin patches, apple orchards, corn mazes, and Christmas tree farms to life. Many businesses enhance the customer experience by selling beer, wine, cider, or cocktails by the glass, or offer them complimentary with the purchase of admission. Before adding alcohol beverages to Wisconsin fall festivities, however, business owners should understand that alcohol beverage laws may require an alcohol beverage license or permit.

Wisconsin law requires an alcohol beverage license whenever alcohol beverages are sold or when alcohol beverages are consumed in a public place.

Under sec. [125.09\(1\)](#), Wis. Stats., the owner, lessee, or person in charge of a public place may not allow the consumption of alcohol beverages unless the appropriate retail license or permit is held. This requirement applies regardless of whether the alcohol beverage is sold separately, included with admission, or provided as part of another commercial activity. Calling an alcohol beverage “free” does not eliminate the licensing requirement if it is provided in connection with a business promotion or purchase.

Many seasonal attractions will qualify as public places because they are businesses open to the public. Pumpkin patches, apple orchards, and Christmas tree farms that welcome members of the public are no exception. If these businesses plan to sell alcohol beverages or allow customers to consume alcohol beverages on the premises, a license must be obtained from the municipality in which they operate before sales or consumption occur. More information on the licensing process may be found in [Publication 302](#) *Information for Wisconsin Alcohol Beverage Retailers*.

Businesses unsure whether their planned activities require licensing are encouraged to contact their municipal clerk or the Division of Alcohol Beverages before the season begins. Proper planning can help ensure guests enjoy Wisconsin’s unique harvest season while businesses remain compliant with alcohol beverage laws.



Cider Fun Facts

State law defines “cider” as a type of wine that contains 7% or less alcohol by volume (ABV) that is obtained from the fermentation of the juice of apples or pears.

Beverages made by the fermentation of the juice of apples or pears that exceed 7% ABV are classified as any other wine.

Beverages classified as “cider” under state law may be sold under a “Class C” wine license.



COMING SOON! Online Applications

The Division of Alcohol Beverages' Bureau of Legal Services, Permitting, and Reporting is in the preliminary phases of an exciting new technological improvement project – online permit applications! Gone will be the days of printing out PDFs to mail in or waiting for documents to be returned in an envelope. With a new online permit application system, the vast majority of the authorizations DAB issues will be submitted with the click of a button.

Starting as soon as 2027, DAB will be rolling out online forms for both new and renewal applications. This development is part of a larger project including other customer-focused improvements, such as application status notifications and updated permit certificates.

Look for future communications on specific roll-out dates for each application type, along with instructions on how to submit using this new process.



Interest Restriction Affidavits

The three-tier system acts as the backbone of Wisconsin's alcohol beverage regulatory scheme. In general, the law prohibits people from having an interest in more than one tier of the alcohol beverage industry. The three tiers consist of producers, wholesalers, and retailers.

2023 Act 73 introduced new exceptions to the three-tier system, which require an affidavit be submitted to DAB.

Passive Financial Interest

- Owners and decision makers of businesses holding authorizations in one tier are allowed to hold up to 10% interest in a business within another tier, provided they meet certain requirements, such as not holding certain management or executive positions or making day-to-day decisions.
- Notify the Division of this permissible interest by completing form [AB-104a](#) for individuals and [AB-104b](#) for business entities.

Interest Through Marriage

- Spouses may have interest in different tiers of the alcohol beverage industry from one another if they provide to the municipal clerk or Division with their application a copy of their marital property or prenuptial agreement expressly stating that each licensed or permitted business is the individual property of a spouse and is not marital property.
- Notify the Division or municipal clerk (if a retail interest is involved) of this permissible interest by completing form [AB-103](#) for each spouse and attach the valid marital property or prenuptial agreement.

Affidavits and related forms can be sent to the permitting bureau at DORAlcoholPermits@wisconsin.gov.



License Revocations, Suspensions, and Non-Renewals

In certain circumstances, municipalities may face difficult decisions when considering revocation, suspension, or non-renewal of existing alcohol beverage retail licenses. State law describes a specific procedure that municipalities must follow before taking any of the above actions to afford the licensee due process (sec. [125.12](#) Wis. Stats). Please consult Ch. 125 and your municipal attorney when proceeding with action on a license.

Suspensions and Revocations

1. **Complaint** – Any resident of a municipality may file a written complaint with the clerk alleging at least one of the following:
 - A violation of Chapter 125 or a municipal regulation conforming to the chapter
 - A disorderly or riotous, indecent, or improper house
 - Serving alcohol beverages to known habitual drunkards
 - The license holder does not qualify for the license
 - Violations involving certain controlled substances
2. **Summons** – Once the complaint is filed, the municipality will issue a summons requiring the license holder to appear before the municipality for a hearing.
 - The summons must be signed by the clerk and include a copy of the complaint
 - The licensee must be served at least three days before the day the licensee is to appear
3. **Hearing** – The municipal governing body will meet to determine if the complaint is true and, if so, take the appropriate action.
 - If the license holder denies the complaint, both the license holder and the complainant may produce witnesses, cross-examine witnesses, and be represented by counsel
 - If the license holder does not appear for the

hearing, the governing body will assume the complaint is true

- The clerk must give the license holder notice of each suspension and revocation

4. **Effect** – If the license is revoked, the previous license holder may not have any new license granted for 12 months or receive any refund for the revoked license fee.

5. **Judicial Review** – The decision of any municipality to revoke, suspend, or non-renew a license may be reviewed by a county circuit court.

Refusals to Renew (non-renewals)

Municipalities intending to not renew an expiring license may only do so for the reasons listed in para. (1) above. The governing body will send a notice to the license holder prior to the time for the renewal of the license indicating the reason(s) why the license will not be renewed and offer the licensee an opportunity for a hearing. The hearing procedure shall be followed as detailed in para. (3) above.

Failure to follow the steps outlined above from sec. [125.12](#) Wis. Stats. may violate procedural due process.

Whenever a municipal governing body or court revokes, suspends, or imposes a penalty on a licensee for violation of Ch. 125, the clerk shall mail or email a report to the Division of Alcohol Beverages within 10 days (sec. [125.13](#) Wis. Stats.). The report shall include the name of the licensee, the address of the licensed premises, and a full description of the penalty imposed.

The report may be emailed to DAB at DORAlcohol@wisconsin.gov or mailed to:

Wisconsin Department of Revenue
Division of Alcohol Beverages
P.O. Box 8934
Madison, WI 53708-8934

Mandatory Licensing Ordinances: Required or Not?

There are a few alcohol beverage regulatory ordinances that Wisconsin law **requires** municipalities to have on the books. The end of licensing and reporting season is a great time to review and refresh these ordinances in your community. Please work with your municipal attorney, the League of Wisconsin Municipalities, or the Towns Association if you realize your municipality is missing one or more of these ordinances.

- Municipalities must establish a fee for an operator's license (sec. [125.17\(3\)](#), Wis. Stats.)
- Municipalities must have an ordinance detailing the process of issuing a provisional operator's license per sec. [125.17\(5\)](#) Wis. Stats., including:
 - Establishing the fee for a provisional operator's license, not to exceed \$15
 - Designating the municipal official with authority to issue provisional licenses
 - A municipality *could* also detail the standards for issuance, but it is not required
 - Please note: provisional license issuance to qualified applicants is **not optional**
- Municipalities **must** have an ordinance detailing the process of issuing a provisional *retail* license per sec. [125.185](#) Wis. Stats., including:
 - Establishing the fee for a provisional license, not to exceed \$15
 - Designating the municipal official with authority to issue provisional licenses
 - A municipality *could* also detail the standards for issuance, but it is not required
 - Please note: provisional license issuance is **not optional** if the municipality issues regular retail alcohol beverage licenses
- Temporary Class "B" beer licenses, for an event lasting three or fewer days, require a time of filing (waiting period) *established by ordinance* (sec. [125.04\(3\)\(f\)3.](#), Wis. Stats.). For example:
 - If the event is a two-day county fair, the time of filing must be established via ordinance by the municipal governing body
 - If the event is a four-day county fair, the time of filing is 15 days per Wisconsin statute





Spirits, Sweets, and Statutes: Alcohol in Confectionery

REMINDER: FORM AT-827 Alcohol Beverage and Cigarette, Tobacco and Electronic Vaping Device Retail Licenses Reporting

Form AT-827, used to report Alcohol Beverage Retail Licenses and Cigarette, Tobacco, and Electronic Vaping Device Retail Licenses, was **due** July 15, 2026.

There are still dozens of municipalities that have not yet filed their requested report. Clerks should e-file through [MyDORGov](https://mydorgov.com) if they have not already done so. File this report even if your municipality does not have any active licenses.

For technical issues email OTAS@wisconsin.gov, for alcohol beverage license questions email DORAlcohol@wisconsin.gov, and for CTV license questions email DORTobacco@wisconsin.gov.

We talk a lot about beer, liquor, and wine, but what about those spiked sweets you eat? As the holiday season approaches, DAB often receives questions about liquor-filled chocolates, bourbon balls, rum cakes, and other alcohol-infused confectionery. A common question is whether the sale of these products requires an alcohol beverage license or permit.

While these sweets contain alcohol, they generally are **not** regulated under Wisconsin's alcohol beverage laws. Instead, confectionery products are regulated under Wisconsin's food laws, which are administered by the Wisconsin Department of Agriculture, Trade and Consumer Protection (DATCP).

Although DAB does not regulate confectionery products, Wisconsin law establishes a limit on the amount of alcohol they may contain. Under sec. [97.10\(1\)](#), Wis. Stats., the sale of any **adulterated** food is prohibited. Under sec. [97.02](#), Wis. Stats., a food is considered adulterated if it meets one of the conditions established under the federal Food, Drug, and Cosmetic Act, including 21 U.S.C. § 342. For confectionery products, those standards generally prohibit food containing one-half of one percent (0.5%) alcohol by volume or greater, except for limited amounts of alcohol derived solely from flavoring extracts. Confectionery containing less than 0.5% alcohol by volume is not regulated by law, while products exceeding that limit are considered adulterated and may not be sold in Wisconsin.

Businesses selling liquor-filled chocolates or similar confectionaries do not need an alcohol beverage license simply because the product contains alcohol. Retailers must ensure that the products are compliant, carefully check the labeling, and verify with their supplier to ensure the alcohol content does not exceed 0.5% ABV. Questions regarding the manufacture, labeling, or composition of alcohol-infused confectionery should be directed to [DATCP](#).