



# Alcohol – Delivery/Pick-Up

2023-2024 Legislative Session

**POSITION: FRIEND OF GROCERS KEY VOTE!**

**Delivery:** Wisconsin Grocers Association (WGA) is seeking passage of legislation gives consumers the ability to legally and easily receive alcohol through delivery.

**Click & Collect:** Support the alcohol pickup of alcohol along with their groceries in a state-wide uniform law.

**SUMMARY of Bill/Changes:**

Establish Alcohol Delivery Laws	Clarify Alcohol Pickup Laws (Click & Collect)
<ul style="list-style-type: none"><li>• Allow a retailer to deliver alcohol directly or through a third party when order is placed online or via phone.</li><li>• Ensure deliveries can be made during the same hours as sales for off-premise consumption (inside store sales).</li><li>• Payment would be received on the licensed premises at the time of order. This can be in person, online or via credit card over the phone. Payment cannot be accepted at delivery.</li><li>• The person receiving the order must be the same person who placed the order, at least 21 years old and provide proof of identity and age.</li><li>• It is the licensee's responsibility to ensure the customer making the order is 21 or older at the time of sale and the delivery person's responsibility for doing the same at the time of the delivery via electronic scan.</li><li>• The delivery personnel must be at least 21 years of age, must ensure the recipient is not intoxicated and must complete "TIPS" training or equivalent</li><li>• If the order is not completed, the alcohol must be returned to the store.</li><li>• The following records must be retained for 3 years after delivery: Signature of recipient, Quantity delivered, Recipient's name, Recipient's address</li></ul>	<ul style="list-style-type: none"><li>• Change the definition of premises to include all areas where alcohol is stored or sold, i.e., premises may include designated parking spaces. Specify that the order is consummated when the order is picked up.</li><li>• Allow curbside pickup orders to be placed online or via phone.</li><li>• Age checked online or via phone and verification with ID is done at time of pickup</li><li>• Hours for pickup would include same hours as sales for off-premise consumption (inside store sales).</li></ul>

**IMPACT ON GROCERS:**

Online grocery shopping is continuing to grow as consumer's shopping habits change. Specific to pickup of groceries, customers want to the ability to legally and easily pickup alcohol along with their groceries. In addition, As the demand for online grocery shopping and delivery continues to rise, Wisconsin grocers will find themselves answering to customers on why alcohol cannot be delivered along with their other groceries.

**BACKGROUND: Pickup (Click & Collect):** Wisconsin law does not clearly define alcohol pickup, but the Department of Revenue has determined that pickup of alcohol is legal as long as the retailer does not charge the customer's credit card until the alcohol is picked up and the transaction is face-to-face.

Alcohol licenses are issued by the municipality and require that retailers include a definition of the premises where alcohol will be sold, and it cannot be sold outside of that area. Some municipalities have allowed retailers to amend their licenses and the premises description to include parking stalls, which then allows for alcohol pickup. However, in many municipalities this request prompted ordinance changes to impose new and onerous restrictions on these sales, such as age restrictions on driver of vehicle (regardless of whether they were the alcohol purchaser) and maintaining photo records of vehicles for 30 days.

**Delivery:** In Wisconsin it is illegal to deliver alcohol. Wisconsin law requires that alcohol sales occur at the licensed premises, with the buyer and seller face-to-face at the time of sale.

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