

Wisconsin Institute for Law and Liberty: Bill could end tailgating as we know it

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WILL Memo: Bill could end tailgating as we know it

Bill could have effect of clamping down on tailgating

March 9, 2018 – Milwaukee, WI – Today attorneys at the Wisconsin Institute for Law & Liberty (WILL) have issued a [legal memo](#) explaining how AB 433 – with the approved Substitute Amendment 1 – would make it significantly harder for people to enjoy Wisconsin’s long-standing tradition of tailgating, even at Lambeau Field. The bill regulates the consumption of alcohol on certain nonpublic (and public) places by requiring an expensive retail license to be obtained.

WILL Executive Vice President CJ Szafir, explains:

“What major policy problem the bill is designed to solve is a mystery to us. But what is clear – whether intended or unintended – is that the amendment would negatively impact people’s ability to enjoy a beer at their tailgate before a Packers, Badgers, or Brewers game.

This raises the question of whether the government needs to be interfering with people’s recreational activities. Is there some good reason why the legislature needs to restrict Wisconsinites ability to have a brat and a beer on public or private property before a sports game? We’d like to hear it.”

A substitute amendment to Assembly Bill 433 was introduced last February. In short, the bill prohibits a person or business from charging someone who would consume alcohol on their property. Unless, of course, they obtain a license from a municipality.

The WILL legal analysis concludes that this could impact tailgating outside of a sports event. Consider a homeowner, with property outside of Lambeau Field, who wants to charge people to park on his lot. There could be no alcohol consumed on his property, under this amendment.

The bill and amendment unanimously passed the Assembly by voice vote. It is awaiting a vote in the Senate.

Read the full WILL analysis of the substitute amendment to AB 433 [HERE](#).