

# Wisconsin Institute for Law and Liberty: Governor Evers agrees with WILL on legal status of wedding barns

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Evers administration pledges to interpret law as previously practiced

The News: A day after the Wisconsin Department of Justice responded to WILL's lawsuit in a way that dodged critical questions on wedding barns and alcohol permitting, a spokeswoman for the Evers Administration told WisPolitics that, "We are not deviating from the Department of Revenue's long standing practice on this issue." Under that long standing practice, wedding barns are not required to obtain alcohol licenses. Wedding barn owners and couples need to know that the Evers administration will follow the law and not change enforcement practices in light of the November 2018 Department of Justice informal opinion that indicated that wedding barns might be required to comply with alcohol permitting rules and that is why litigation was necessary. The Governor's statement is a positive step in the right direction.

The Quote: WILL President and General Counsel Rick Esenberg said, "While we were disappointed by the failure of the Department of Justice to provide clarity on the status of the interpretation and enforcement of the law regarding wedding barns and alcohol permits in our lawsuit, we are heartened by the comments from Governor Evers' spokeswoman that indicate the Governor agrees with WILL that the law continues to mean what it says. We trust that this matter will promptly be

resolved in a manner that provides wedding barn owners and couples with the certainty that they can continue with their business and plans for special events.”

**The Background:** In January 2019, WILL sued the Evers administration in Dunn County. The lawsuit, on behalf of two Wisconsin wedding barn owners, asked a judge to remove the cloud of uncertainty created by a November 2018 opinion from the Wisconsin Department of Justice that suggested wedding barns are subject to alcohol permitting requirements.

On March 7, 2019, the Wisconsin Department of Justice issued a response that asked the judge to dismiss the case without providing any clarity on the critical questions provoked by WILL’s lawsuit about the interpretation and enforcement of alcohol permitting requirements and wedding barns.

For years, wedding barns have been legally operating in Wisconsin without alcohol licenses. Unlike bars, wedding barns do not sell alcohol and are not public places. Nevertheless, special interests have targeted wedding barns in hopes of subjecting them to the same government red tape as bars and restaurants.