

## Intoxicating Liquors FAQ 16

**Someone applied for a “Class B” alcohol license and claims he needs it so he can have video gambling machines in his establishment. Does a “Class B” liquor license authorize video gambling machines?**

No. Video gambling machines are unlawful. See Wis. Stat. ch. 945. A “Class B” liquor license does not authorize or legitimize video gambling machines.

Nonetheless, some people claim they have been told (by whom it’s unclear) that a “Class B” liquor license will allow them to lawfully have video gambling machines on the licensed premises. This clearly erroneous notion may come from the fact that although *all* video gambling machines are prohibited by state law, the state legislature has created lesser penalties for “Class B” premises with *five or fewer* video gambling machines (see Wis. Stat. secs. 945.03(2m) and 945.04(2m)). The notion may also come from the legislature’s changes to enforcement of the prohibition in 2003 when it amended the laws to limit local and Department of Justice (DOJ) enforcement authority by restricting or removing their investigation of or enforcement action against video gambling violations on premises with a “Class B” liquor license.