

### Fiscal Estimate - 2005 Session

Original       Updated       Corrected       Supplemental

**LRB Number** 05-3166/1      **Introduction Number** AB-651

**Subject**  
Penalty for underage drinking violations by military personnel; creating surcharge

**Fiscal Effect**

**State:**

No State Fiscal Effect  
 Indeterminate

<input type="checkbox"/> Increase Existing Appropriations	<input type="checkbox"/> Increase Existing Revenues	<input type="checkbox"/> Increase Costs - May be possible to absorb within agency's budget
<input type="checkbox"/> Decrease Existing Appropriations	<input type="checkbox"/> Decrease Existing Revenues	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/> Create New Appropriations		<input type="checkbox"/> Decrease Costs

**Local:**

<input type="checkbox"/> No Local Government Costs			
<input type="checkbox"/> Indeterminate			
1. <input type="checkbox"/> Increase Costs	3. <input type="checkbox"/> Increase Revenue	<b>5. Types of Local Government Units Affected</b>	
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory		<input checked="" type="checkbox"/> Towns <input checked="" type="checkbox"/> Village <input checked="" type="checkbox"/> Cities
2. <input type="checkbox"/> Decrease Costs	4. <input checked="" type="checkbox"/> Decrease Revenue		<input type="checkbox"/> Counties <input type="checkbox"/> Others
<input type="checkbox"/> Permissive <input type="checkbox"/> Mandatory	<input type="checkbox"/> Permissive <input checked="" type="checkbox"/> Mandatory		<input type="checkbox"/> School Districts <input type="checkbox"/> WTCS Districts

**Fund Sources Affected**      **Affected Ch. 20 Appropriations**

GPR     FED     PRO     PRS     SEG     SEGS

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**Fiscal Estimate Narratives**  
**DOR 9/30/2005**

LRB Number <b>05-3166/1</b>	Introduction Number <b>AB-651</b>	Estimate Type <b>Original</b>
<b>Subject</b>		
Penalty for underage drinking violations by military personnel; creating surcharge		

**Assumptions Used in Arriving at Fiscal Estimate**

Under current law, with certain exceptions, a person who has not reached the legal drinking age of 21 years and is not accompanied by a parent, guardian, or spouse who has reached the legal drinking age, may not knowingly possess or consume alcohol beverages and may not enter premises for which a license or permit for the retail sale of alcohol beverages has been issued. Also, no person may procure for, sell, dispense, or give away alcohol beverages to an underage person who is not accompanied by a parent, guardian, or spouse who has reached the legal drinking age. Current law imposes a number of potential penalties for violating these prohibitions. These penalties include, among others, a penalty ranging from a forfeiture of \$100 to a fine of \$10,000, and imprisonment for not more than nine months. If cited under state statute, a penalty would be paid to the county (clerk of circuit court); if cited under municipal ordinance, a penalty would be paid to the municipality.

Under this bill, a person who violates any of these various prohibitions is subject to a forfeiture of \$5, and no other penalty except the surcharge described below, if the underage drinking violation pertains to a 19-year-old or 20-year-old member of the U.S. armed forces residing in this state who possesses a valid Wisconsin driver's license or identification card and a valid military identification card containing the person's photograph and date of birth.

Under this bill, no surcharge can be imposed for an underage service member violation except for a \$5 new underage service member surcharge established by the bill. This surcharge will be imposed on any alcohol beverage licensee or permittee or employee of such a licensee or permittee for an underage service member violation. The money collected from the underage service member surcharge will be deposited in the Veterans Trust Fund.

Information on penalties and surcharges imposed for underage drinking by US armed forces personnel is unavailable. To the extent that current law forfeitures will no longer be imposed, the bill will reduce amounts received by counties and municipalities. Surcharge revenues under the bill will be deposited in the Veterans Trust Fund.

Department of Revenue would incur minimal costs that would be absorbed in the department's budget.

**Long-Range Fiscal Implications**