

2009 DRAFTING REQUEST

Bill

Received: **12/02/2008**

Received By: **agary**

Wanted: **As time permits**

Identical to LRB:

For: **Kim Hixson (608) 266-9650**

By/Representing: **Patrick Singer**

This file may be shown to any legislator: **NO**

Drafter: **agary**

May Contact:

Addl. Drafters:

Subject: **Beverages**

Extra Copies:

Submit via email: **YES**

Requester's email: **Rep.Hixson@legis.wisconsin.gov**

Carbon copy (CC:) to: **aaron.gary@legis.wisconsin.gov**

Pre Topic:

No specific pre topic given

Topic:

Underage alcohol consumption or possession on licensed premises

Instructions:

See attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	agary 12/03/2008	jdye 12/04/2008		_____			
/1			pheny 12/04/2008	_____	sbasford 12/04/2008	sbasford 02/16/2009	

FE Sent For:

<END>

↳ Not Needed

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/?	agary	1 12/4 jld	2/4 ph	12/4 ph			

FE Sent For:

<END>

Gary, Aaron

From: Flury, Kelley
Sent: Tuesday, December 02, 2008 10:43 AM
To: Gary, Aaron
Cc: Singer, Patrick
Subject: Youth Drinking Bill

2003 AB-335
w/AA1

Hi, Aaron

Sen. Robson would like the bill to be identical to Ainsworth's bill. Drinking prohibition applies to persons younger than 18 and it applies in tavern settings only.

Can you draft a companion bill for Rep. Kim Hixson. I am cc'ing his staff in case you need to get the request from him. Thanks.

Kelley

From: Gary, Aaron
Sent: Tuesday, November 25, 2008 4:20 PM
To: Flury, Kelley
Subject: RE: Question about youth drinking

Hi Kelley,

I'm the right person.

The primary statutes are s. 125.07 (1) (a) 1. and 2. and (4) (a) 2. and (b).

In the 2003 legislative session, Rep. Ainsworth introduced a bill addressing this issue - it didn't go anywhere that session, but I don't know why. For your convenience, I am attaching a copy of that bill and its amendment.

Let me know what change you want to make and I'll be happy to draft something for you. Some possible variations to consider are: 1) whether the change should apply to all underage persons or just those under a certain age, such as 18, and 2) whether the change should apply anywhere including the home, or only on licensed premises (eg taverns, restaurants, etc.)

Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Flury, Kelley
Sent: Tuesday, November 25, 2008 4:09 PM
To: Gary, Aaron
Subject: Question about youth drinking

Hi, Aaron

Would you be the person who can help me with the statute that permits a child accompanied by his/her parent to drink alcoholic beverages in a tavern? Sen. Robson would like to draft a bill to change this law. Can you tell me what statute number this is, or forward to the appropriate bill drafter. Thank you.

Kelley Flury
Office of Sen. Judy Robson

SOON

LRB-0984/1
ARG:jld/jf

0985/1
KEEP

in
12/3

RMNR

2009 BILL

No changes

✓

Regen

1 AN ACT *to amend* 125.07 (1) (a) 2. and 125.07 (4) (a) 2. of the statutes; **relating**
 2 **to:** underage persons possessing, consuming, or being provided alcohol
 3 beverages on licensed premises when accompanied by a parent, guardian, or
 4 spouse.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person who has not attained the legal drinking age of 21 years (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, may not knowingly possess or consume alcohol beverages and may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued (licensed premises). Also, no person, including a licensee or permittee, may procure for, sell, dispense, or give away (provide) alcohol beverages to an underage person who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age.

Under this bill, an underage person accompanied by a parent, guardian, or spouse who has attained the legal drinking age may possess, consume, or be provided alcohol beverages on licensed premises only if the underage person is at least 18 years of age. An underage person of any age may still enter or be on licensed premises

BILL

if accompanied by a parent, guardian, or spouse who has attained the legal drinking age.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

1 **SECTION 1.** 125.07 (1) (a) 2. of the statutes is amended to read:

2 125.07 **(1)** (a) 2. No licensee or permittee may sell, vend, deal, or traffic in
3 alcohol beverages to or with any underage person ~~not~~ unless the underage person is
4 at least 18 years of age and is accompanied by his or her parent, guardian, or spouse
5 who has attained the legal drinking age.

6 **SECTION 2.** 125.07 (4) (a) 2. of the statutes is amended to read:

7 125.07 **(4)** (a) 2. Unless at least 18 years of age and accompanied by a parent,
8 guardian, or spouse who has attained the legal drinking age, possesses or consumes
9 alcohol beverages on licensed premises.

10 **SECTION 3. Initial applicability.**

11 (1) This act first applies to violations committed on the effective date of this
12 subsection.

13

(END)

Basford, Sarah

From: Gary, Aaron
Sent: Monday, February 16, 2009 9:52 AM
To: Basford, Sarah; Vander Meer, John
Subject: RE: Co-sponsorship relating to underage drinking, LRB-0984 and LRB-0985

Sarah,
Could you have LRB-0985/1 jacketed for Rep. Hixson? Thanks. Aaron

Aaron R. Gary
Attorney, Legislative Reference Bureau
608.261.6926 (voice)
608.264.6948 (fax)
aaron.gary@legis.state.wi.us

From: Basford, Sarah
Sent: Monday, February 16, 2009 9:51 AM
To: Vander Meer, John; Gary, Aaron
Subject: RE: Co-sponsorship relating to underage drinking, LRB-0984 and LRB-0985

John: LRB -0984/1 was introduced 02/03 as SB-30 so you should be all set. If you have any questions let me know.

Sarah Basford
Program Assistant
Legislative Reference Bureau
1 East Main, Suite 200
(608) 266-3561
sarah.basford@legis.wisconsin.gov

From: Vander Meer, John
Sent: Monday, February 16, 2009 9:47 AM
To: Gary, Aaron
Cc: Basford, Sarah
Subject: FW: Co-sponsorship relating to underage drinking, LRB-0984 and LRB-0985

Dear Aaron:

Rep. Hixson would like to introduce the companion to this, but we have not jacketed it yet. I believe the LRB number is **LRB-0984/1**. Would it be possible to have a jacket release email sent to us?

Thanks.
-- John

John J. Vander Meer
Research Assistant, Office of State Representative Kim Hixson
Committee Clerk, Assembly Committee on Colleges and Universities
Phone: (608) 266-9650
E-mail: john.vandermeer@legis.wi.gov

From: Sen. Robson
Sent: Wednesday, January 14, 2009 1:24 PM
Subject: Co-sponsorship relating to underage drinking, LRB-0984 and LRB-0985

CO-SPONSORSHIP MEMORANDUM

TO: All Legislators

FROM: **Senator Judy Robson & Representative Kim Hixson**

DATE: January 14, 2009

RE: Co-sponsorship of **LRB-0984/1** and **LRB-0985/1** relating to underage persons possessing, consuming, or being provided alcohol beverages on licensed premises when accompanied by a parent, guardian, or spouse.

DEADLINE: If you wish to co-sponsor this legislation, please email or call Justin Sargent in my office (266-2253 or jsargent@legis.wi.gov) by 1 p.m., Tuesday, January 27, 2009. Please note this is a co-sponsorship memo for both LRB drafts. There will be Senate version and an Assembly companion – please indicate whether you do not want onto both versions of the bill.

Current law permits children of any age to drink alcoholic beverages in a tavern if the child is accompanied by a parent, guardian, or spouse who is of legal drinking age.

This bill prohibits persons under the age of 18 from drinking alcoholic beverages in a tavern even if accompanied by a parent, guardian or spouse.

Alcohol use by children and teens affects brain development and has life-long health implications. Wisconsin has a culture of alcohol consumption that exposes children and teens to drinking.

People who begin to drink before the age of 15 are four times more likely to develop alcohol dependence and are two and a half times more likely to become abusers of alcohol than those who begin drinking at age 21.

In 2007, Wisconsin ranked highest in the United States for use of alcohol among high school students.

Permitting children and teens to drink in Wisconsin taverns sends the wrong message about responsible alcohol consumption.

The Legislative Reference Bureau analysis is reprinted below and a copy of LRB 0984/1 is attached.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person who has not attained the legal drinking age of 21 years (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age, may not knowingly possess or consume alcohol beverages and may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued (licensed premises). Also, no person, including a licensee or permittee, may procure for, sell, dispense, or give away (provide) alcohol beverages to an underage person who is not accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age. Under this bill, an underage person accompanied by a parent, guardian, or spouse who has attained the legal drinking age may possess, consume, or be provided alcohol beverages on licensed premises only if the underage person is at least 18 years of age. An underage person of

any age may still enter or be on licensed premises if accompanied by a parent, guardian, or spouse who has attained the legal drinking age.

If you wish to co-sponsor this legislation, please email or call Justin Sargent in my office (266-2253 or jsargent@legis.wi.gov) by 1 pm, Tuesday, January 27, 2009.

<< File: 09-09841.pdf >>