



## WISCONSIN LEGISLATIVE COUNCIL AMENDMENT MEMO

**2017 Senate Bill 202**

**Senate  
Amendment 1**

*Memo published: September 14, 2017*

*Contact: David Moore, Senior Staff Attorney*

### **2017 SENATE BILL 202**

**Current law** prohibits an adult from knowingly permitting or failing to take action to prevent the illegal consumption of alcohol beverage by an underage person on premises owned or controlled by the adult. As defined in ch. 125, Stats., and interpreted by the courts, “premises” means an area described in a license or permit to sell alcohol beverages. [ss. 125.02 (14m) and 125.067 (1) (a) 3., Stats.; *Nichols v. Progressive Northern Ins. Co.*, 2008 WI 20.]

**2017 Senate Bill 202** expands the scope of the prohibition to make it applicable on any property that is one of the following:

- Owned and occupied by an adult who knowingly permits or fails to take action to prevent the illegal consumption.
- Occupied by such an adult and under the adult’s control.

### **SENATE AMENDMENT 1**

Senate Amendment 1 clarifies the application of the prohibition with respect to lodging establishments.<sup>1</sup> Specifically, under the amendment, the prohibition applies to a lodging establishment only if the adult has furnished payment of security for the lodging.

---

<sup>1</sup> The amendment defines “lodging establishment” to mean a bed and breakfast establishment, hotel, tourist rooming house, or campground. “Bed and breakfast establishment,” “hotel,” and “tourist rooming house” are further defined in s. 97.01, Stats.

**BILL HISTORY**

Senator Wanggaard offered Senate Amendment 1 on August 28, 2017. On August 30, 2017, the Senate Committee on Judiciary and Public Safety voted unanimously to recommend both adoption of Senate Amendment 1, and passage of the bill, as amended.

DM:jal