

1969 Assembly Bill 400

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CHAPTER 275, LAWS OF 1969

AN ACT to repeal 176.32 (2) (a); to renumber 176.32 (2) (b) and (c); to repeal and recreate 66.057 (1) to (3); and to create 20.505 (1) (k), 66.054 (25) and 66.057 (4) (title) and (5) (title) of the statutes, relating to a uniform ID card for proving age, providing penalties and making an appropriation.

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

SECTION 1. 20.505 (1) (k) of the statutes is created to read:

20.505 (1) (k) *Identification card costs.* All moneys received under s. 66.057 (1) (d) and (2) (b), for costs incurred thereunder.

SECTION 2. 66.054 (25) of the statutes is created to read:

66.054 (25) **MISREPRESENTING AGE; PENALTY.** Whoever falsely represents that he is at least 18 years of age for the purpose of asking for or receiving fermented malt beverages from a keeper of any place for the sale of fermented malt beverages may be fined not more than \$100 or imprisoned not to exceed 10 days or both.

SECTION 3. 66.057 (1) to (3) of the statutes are repealed and recreated to read:

66.057 **PROOF OF AGE. (1) IDENTIFICATION CARD.** (a) *Form.* Prior to July 1, 1969, the attorney general shall certify to the secretary of administration a standard identification card form. There shall be provision on the card for the applicant's name, date of birth, description and address, for a picture of the applicant, for the card's issuance date and number, for the signatures of the applicant and issuing officer and for the name of the issuing officer, his official title and the name of the county or city of the 1st class of which he is an officer.

(b) *Numbering.* The attorney general shall specify a numbering system to be used for identification cards which may include a code designating the county of issuance. All cards shall be numbered prior to their distribution to issuing officers and such numbers shall be recorded by the department of administration.

(c) *Processing.* The department of administration shall contract for

the processing of identification cards. The cards shall be processed on material and in such manner as the department determines best avoids the possibility of duplication or forgery and shall include a facsimile of the coat of arms of the state.

(d) *Distribution.* The department of administration shall distribute blank identification forms only to issuing officers upon their request and payment of costs. Prior to distribution to an issuing officer, the department shall insert on the forms his title and county.

(e) *Use.* On and after January 1, 1970, no issuing officer may issue any identification card except in accordance with this section. On and after January 1, 1973, no card other than the identification card authorized under this section may be recognized as an official identification card in this state, except that in lieu thereof, documentary proof under s. 66.057 (4) or 176.32 (3) (a) may be substituted.

(2) APPLICATION AND ISSUANCE OF CARD. (a) *Eligibility.* Any person at least 18 years of age may apply to the issuing officer of the county in which he resides for issuance to him of an identification card under this section. Temporary residents of this state, such as students and servicemen, may apply in their county of temporary residence. Each applicant shall submit with his application a birth or baptismal certificate attesting to his age, and such other documents as the issuing officer requires.

(b) *Processing.* Prior to issuing an identification card to an applicant, the issuing officer shall require that a black and white photograph of the applicant be affixed to the form and that the form bear the signatures of the applicant and the issuing officer. He then shall send the completed form to the department of administration for processing of the identification card and the department shall then return it to the issuing officer for issuance to the applicant. The department of administration shall charge the issuing officer for its costs under this paragraph.

(c) *Duplicates.* Duplicate identification cards may be issued in the same manner as are original identification cards. The applicant for a duplicate card shall sign a sworn statement that his original card has been lost or stolen and that, if the original card is recovered, he will return it to the issuing office. A duplicate card shall be clearly stamped "duplicate" by the issuing officer, and the issuing officer shall notify the county sheriff of its issuance.

(d) *Fees.* A fee determined by the attorney general, but not exceeding \$3, shall be charged each applicant obtaining an identification card. A fee of \$5 shall be charged those applicants obtaining duplicate cards. The issuing officer shall pay the fees received under this section into the treasury of his county or municipality.

(e) *Issuing officers.* The register of deeds in each county shall be the sole issuing officer in his county, except that in cities of the 1st class the city clerk shall also act as an issuing officer.

(3) PENALTIES. (a) Any person, other than one authorized by this section, who makes, alters or duplicates an official identification card under this section may be fined not less than \$50 nor more than \$500 or imprisoned not less than 10 nor more than 30 days or both.

(b) Any minor who intentionally carries on his person an official identification card under this section not legally issued to him, or a legally issued card obtained under false pretenses or a legally issued card which has been altered, changed or duplicated to convey false information may be fined not less than \$25 nor more than \$50. A law enforcement officer shall, upon discovering a card in violation of this paragraph, confiscate it.

(c) Any person who, in applying for an identification card, presents false information to the issuing officer may be fined not less than \$50 nor more than \$100 or imprisoned not more than 10 days or both.

SECTION 4. 66.057 (4) (title) and (5) (title) of the statutes are created to read:

66.057 (4) BOOK KEPT BY LICENSEES.

(5) DEFENSES OF SELLERS.

SECTION 5. 176.32 (2) (a) of the statutes is repealed.

SECTION 6. 176.32 (2) (b) and (c) of the statutes are renumbered 176.32 (3) (a) and (b).

SECTION 7. PROGRAM RESPONSIBILITY CITATIONS. In the lists of citations to program responsibilities in sections 15.101 (intro.) and 15.251 (intro.) for the department of administration and the department of justice, respectively, the references "66.057 (1) and (2) (b)" and "66.057 (1)", respectively, are inserted.

SECTION 8. EFFECTIVE DATE. Sections 3 to 7 shall take effect January, 1970, but those portions of section 66.057 of the statutes, as affected by this act, under which the attorney general and the department of administration are assigned responsibilities for the development and for the processing and distribution, respectively, of the identification cards shall take effect on passage and publication. The attorney general and the department of administration shall thereupon proceed promptly so that such cards may be issued beginning January 1, 1970.

Approved November 27, 1969.
