

DRAFTER'S NOTE
FROM THE
LEGISLATIVE REFERENCE BUREAU

LRB-2465/1dn
GMM:wlj:lp

March 19, 1999

At first glance the attached draft might appear to be a bit involved for a draft whose only substantive effect is to raise the forfeiture for a person under 18 years of age who possesses tobacco to \$200. The length of the draft is attributable to all of the following:

1. Moving the dispositions for underage tobacco possession, including all of the dispositions under current law, *e.g.*, teen court, supervised work and counseling by the court, from s. 938.343, which pertains to civil law and ordinance violations in general, to s. 938.344, which currently pertains to alcohol violations. This removal also necessitated amending several related provisions to insert a cross reference to s. 938.983, which is the statute that prohibits underage tobacco possession.

2. Replicating in s. 938.983 the dispositions set forth in s. 938.344 for underage tobacco possession. This replication is necessary to bring 18-year-olds within the scope of the law as "juvenile" is defined for purposes of s. 938.344 as a person under 17 years of age.

3. Conforming the draft to 1997 Wisconsin Act 84, which as of May 1, 2000, provides for a uniform maximum driver's license suspension of 2 years for nonpayment of a forfeiture.

If you have any questions about this draft, please do not hesitate to contact me directly.

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