

2009 ASSEMBLY BILL 106

March 4, 2009 – Introduced by Representatives HIXSON, HUBLER, BERCEAU, BIES, DEXTER, A. OTT, POPE-ROBERTS, SINICKI, SMITH, TOLES, TOWNSEND and TURNER, cosponsored by Senators ROBSON and KREITLOW. Referred to Committee on Urban and Local Affairs.

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

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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)**