



WISCONSIN LEGISLATIVE COUNCIL ACT MEMO

2017 Wisconsin Act 126
[2017 Senate Bill 202]

**Permitting or Failing to Take
Action to Prevent the Underage
Consumption of Alcohol**

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 Wisconsin Act 126 expands the scope of the prohibition described above 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 and under the control of an adult who knowingly permits or fails to take action to prevent the illegal consumption.

Under the Act, this prohibition applies to a lodging establishment only if the adult has furnished payment of security for the lodging. “Lodging establishment” is defined to mean a bed and breakfast establishment, hotel, tourist rooming house, or campground.

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This memo provides a brief description of the Act. For more detailed information, consult the text of the law and related legislative documents at the Legislature’s Web site at: <http://www.legis.wisconsin.gov>.