

No. 242, A.]

[Published May 10, 1951.

CHAPTER 215.

AN ACT to amend 66.054 (19) and 176.32 (1) of the statutes, relating to minors in places of business selling intoxicants, and providing a penalty.

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

SECTION 1. 66.054 (19) of the statutes is amended to read:

66.054 (19) Every keeper of any place, of any nature or character, whatsoever, for the sale of any fermented malt beverage under a Class "B" retailer's license, who shall either directly or indirectly suffer or permit any person of either sex under the age of 18 years, unaccompanied by his or her parent or guardian, who is not a resident, employe, or a bona fide lodger or boarder on the premises controlled by the proprietor or licensee of such place, and of which such place consists or is a part, to * * * *enter or be* on such *licensed* premises * * * for any purpose, excepting the transaction of bona fide business other than amusement, *the purchase, receiving,* or consumption of edibles or beverages, shall, for every such offense, be liable to a penalty not exceeding \$250, besides costs, or imprisonment in the county jail or house of correction not exceeding 60 days; and any such person so remaining as aforesaid, who is not a resident, employe, or a bona fide lodger or boarder on such premises, or who is not accompanied by his or her parent or guardian, shall also be liable to a penalty of not more than \$20, besides costs. This section shall not apply to hotels, drug stores, grocery stores, bowling alleys, premises in the state

fair park, and parks owned or operated by agricultural societies receiving state aid, cars operated on any railroad, nor to premises operated under both a "Class B" license and a restaurant permit where the principal business conducted therein is that of a restaurant. It shall be presumed, however, where such premises are so operated under both a "Class B" license and a restaurant permit, that the principal business conducted therein is that of the sale of fermented malt beverage, until such presumption is rebutted by competent evidence. The provisions of subsection (15) providing for punishment of violators of this section by fine and imprisonment shall not apply to this subsection.

SECTION 2. 176.32 (1) of the statutes is amended to read:

176.32 (1) Every keeper of any place, of any nature or character, whatsoever, for the sale of any intoxicating liquors, who shall either directly or indirectly suffer or permit any person of either sex under the age of 21 years, unaccompanied by his or her parent or guardian, or suffer or permit any person to whom the sale of any such liquors has been forbidden in the manner provided by law, who is not a resident, employe, or a bona fide lodger or boarder on the premises of such licensed person, to * * * *enter or be on such licensed premises* * * * for any purpose, excepting the transaction of bona fide business other than amusement *or the purchase, receiving* or consumption of edibles or beverages, shall, for every such offense, be liable to a penalty not exceeding \$250, besides costs, or imprisonment in the county jail or house of correction not exceeding 60 days; and any such person so remaining as aforesaid, who is not a resident, employe, or a bona fide lodger or boarder on the premises, or who is not accompanied by his or her parent or guardian, shall also be liable to a penalty of not more than \$20, besides costs, or imprisonment not exceeding 30 days in the county jail or house of correction. This section shall not apply to hotels, drugstores, grocery stores, bowling alleys, cars operated on any railroad, nor to premises operated under both a "Class B" license and a restaurant permit where the principal business conducted therein is that of a restaurant. It shall be presumed, however, where such premises are so operated under both a "Class B" license and a restaurant permit, that the principal business conducted therein is that of the sale of intoxicating liquor, until such presumption is rebutted by competent evidence.

Approved May 8, 1951.
