

1993 Senate Bill 281

Date of enactment: April 28, 1994

Date of publication\*: May 12, 1994

## 1993 WISCONSIN ACT 472

AN ACT *to amend* 125.07 (1) (b) 1 and 125.07 (1) (b) 2; and *to create* 125.07 (1) (b) 5 of the statutes, relating to: restrictions on providing or selling alcohol beverages to underage persons and providing a penalty.

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

**SECTION 1.** 125.07 (1) (b) 1. of the statutes is amended to read:

125.07 (1) (b) 1. In this paragraph, "violation" means a violation of this subsection or of a local ordinance that strictly conforms to this subsection par. (a) if the violation results in an imposition of a forfeiture or a conviction. For purposes of determining previous violations under subd. (2), the 30-month period shall be measured from the dates of violations that resulted in an imposition of a forfeiture or a conviction. For the purpose of determining whether or not a previous violation has occurred, if more than one violation occurs at the same time all those violations shall be counted as one violation.

**SECTION 2.** 125.07 (1) (b) 2. of the statutes is amended to read:

125.07 (1) (b) 2. A person who commits a violation is ~~subject to a forfeiture of~~ may be:

a. ~~Not Required to forfeit~~ not more than \$500 if the person has not committed a previous violation within ~~42~~ 30 months of the violation.

b. ~~Not less than \$200 nor~~ Fined not more than \$500 or imprisoned for not more than 30 days or both if the person has committed a previous violation within ~~42~~ 30 months of the violation.

c. ~~Not less than \$500 nor~~ Fined not more than \$1,000 or imprisoned for not more than 90 days or both if the person has committed 2 previous violations within ~~42~~ 30 months of the violation.

d. ~~Not less than \$1,000 nor more than \$5,000~~ Fined not more than \$10,000 or imprisoned for not more than 9 months or both if the person has committed 3 or more previous violations within ~~42~~ 30 months of the violation.

**SECTION 2m.** 125.07 (1) (b) 5. of the statutes is created to read:

125.07 (1) (b) 5. A person who holds a Class "A" license, a Class "B" license or permit, a "Class A" license or a "Class B" license or permit who commits a violation is subject to subd. 3 but is not subject to subd. 2 or s. 125.11.

**SECTION 3. Initial applicability.** This act first applies to violations committed on the effective date of this SECTION, but does not preclude the counting of violations committed prior to the effective date of this SECTION as previous violations for sentencing a person.