



1997 ASSEMBLY BILL 472

August 14, 1997 - Introduced by Representatives MUSSER, FREESE, BOYLE, HANDRICK, PLOUFF, JOHNSRUD, SYKORA, RYBA, SERATTI and ZUKOWSKI, cosponsored by Senators BRESKE, WINEKE and ZIEN. Referred to Joint committee on Finance.

- 1 **AN ACT** *to repeal* 85.07 (6); *to renumber and amend* 125.02 (8m); and *to create*
2 84.015 (3), 125.02 (8m) (a) and 125.02 (8m) (b) of the statutes; **relating to:**
3 lowering the legal drinking age for certain persons.

Analysis by the Legislative Reference Bureau

The legal drinking age is the age at which a person may legally purchase, possess and consume alcohol beverages and enter premises licensed for the retail sale of alcohol beverages unaccompanied by a parent, guardian or spouse who has attained the legal drinking age. It is also the age at which a person may obtain most alcohol beverage licenses and permits. The legal drinking age in Wisconsin is currently 21 years of age.

This bill lowers the legal drinking age to 19 years of age for residents of this state who possess a valid driver's license or identification card issued by the department of transportation, individuals attending a college or university in this state and members of the U.S. armed forces or the Wisconsin national guard. The legal drinking age for these persons is increased to 21 years if age if this state receives from the federal government an advance notice of apportionment of federal highway aids that contains a determination that this state is not in compliance with the national minimum drinking age of 21 years of age and that the amount of federal highway aid to this state will be reduced by an amount exceeding \$2,290,000 for each applicable fiscal year for which such aid is paid.

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For further information see the *state and local* fiscal estimate, which will be printed as an appendix to this bill.

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

1 **SECTION 1.** 84.015 (3) of the statutes is created to read:

2 84.015 (3) If the secretary receives an advance notice of apportionment of
3 federal highway aids to this state under 23 USC 104 that contains a determination
4 that this state is in noncompliance with the national minimum drinking age
5 specified under 23 USC 158 and the secretary determines that federal highway aids
6 in an amount exceeding \$2,290,000 are expected to be withheld from apportionment
7 for each applicable fiscal year, the secretary shall immediately do all of the following:

8 (a) Certify this information to the secretary of revenue and the revisor of
9 statutes.

10 (b) Submit documentation to the National Highway Traffic Safety
11 Administration showing that this state is in compliance with the national minimum
12 drinking age under 23 USC 158.

13 **SECTION 2.** 85.07 (6) of the statutes is repealed.

14 **SECTION 3.** 125.02 (8m) of the statutes is renumbered 125.02 (8m) (intro.) and
15 amended to read:

16 125.02 (8m) (intro.) “Legal drinking age” means ~~21 years of age.~~

17 **SECTION 4.** 125.02 (8m) (a) of the statutes is created to read:

18 125.02 (8m) (a) Except as provided in par. (b), 21 years of age.

19 **SECTION 5.** 125.02 (8m) (b) of the statutes is created to read:

20 125.02 (8m) (b) 1. Except as provided in subd. 2., 19 years of age for any of the
21 following persons:

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1 a. A person carrying an official identification card, as defined in s. 125.085 (1).

2 b. A person carrying an identification card that identifies that person as a
3 student at an institution of higher education, as defined in s. 39.32 (1) (a), that is
4 located in this state.

5 c. A person carrying a military identification card that identifies that person
6 as a member of the U.S. armed forces, as defined in s. 40.02 (57m), or of any reserve
7 or auxiliary unit of the U.S. armed forces or of the Wisconsin national guard.

8 2. Subdivision 1. does not apply if the secretary of transportation makes the
9 certification under s. 84.015 (3) (a).

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(END)