



State of Wisconsin
2015 - 2016 LEGISLATURE

LRB-4619/1
ARG:amn

2015 ASSEMBLY BILL 864

February 4, 2016 – Introduced by Representatives VORPAGEL, SWEARINGEN, KNODL, R. BROOKS and A. OTT. Referred to Committee on State Affairs and Government Operations.

- 1 **AN ACT** *to renumber and amend* 125.07 (1) (b) 6.; and *to create* 125.07 (1) (b)
2 6. a. and c. of the statutes; **relating to:** alcohol beverages violations involving
3 underage persons that occur on licensed premises.

Analysis by the Legislative Reference Bureau

This bill provides that an alcohol beverages server, not the retail licensee, is the person to be issued a citation for selling or providing alcohol beverages to an underage person on licensed premises if the violation is detected by means of an undercover law enforcement “sting” operation.

Under current law, no person, including an alcohol beverages retail licensee or the holder of an operator’s (bartender’s) license, may sell or provide alcohol beverages to a person under age 21 who is not accompanied by his or her parent, guardian, or spouse who is at least age 21. Current law also prohibits an adult from intentionally encouraging or contributing to an underage alcohol violation and from knowingly permitting or failing to take action to prevent the illegal consumption of alcohol beverages by an underage person on premises owned by the adult or under the adult’s control. If a retail licensee violates any of these prohibitions, a court must suspend the retail license if the retail licensee committed a prior violation within the previous 12 months. For any person, other than a retail licensee, who violates any of these prohibitions, the person may be required to forfeit not more than \$500 if the person has no prior violations within the previous 30 months; however, if the person has prior violations within this time period, the person is subject to various criminal penalties. In addition, if the person holds a bartender’s license, the court must

