

Disclaimer:

This document is not intended to provide legal advice. Laws on alcohol sales and service may vary greatly by city, county or state. For complete information on the alcohol laws in effect in your region, please contact the liquor authority in your state and/or municipality.

Wisconsin

STATE LIQUOR AUTHORITY	State of Wisconsin Department of Revenue 2135 Rimrock Road P.O. Box 8933 Mail Stop 6-40 Madison, Wisconsin 53708-8933 Phone: 608-266-2772 Fax: 608-267-0834 General Internet Web Site: www.dor.state.wi.us
AGE TO CONSUME	21
AGE TO SERVE	18 under supervision of the licensee
AGE TO POUR	18 under supervision of the licensee
AGE TO SELL (PACKAGED LIQUOR)	18 under supervision of the licensee
MINORS ALLOWED ON PREMISE?	For Class B Licenses, underage persons are not allowed into the establishment unless with a parent, guardian or spouse who is at least 21. If principal businesses of the establishment's total sales are from food, unaccompanied underage persons are allowed for dining only but may not be in the barroom. There are exceptions to these restrictions.
CAN PARENT SERVE?	It is unlawful to serve or sell alcohol to anyone under age of 21, unless accompanied by parent, guardian or spouse of legal drinking age. Persons under the legal drinking age are allowed to consume alcohol in the presence of their parents or guardians or spouses of legal drinking age either on or off a Class B (on sales) licensed premise.
HOURS OF SERVICE	On Premise Establishments: Monday thru Friday, 6:00 a.m. until 2:00 a.m. Saturday & Sunday, 6:00 a.m. until 2:30 a.m. There is no closing time for the New Year's holiday. Off Premises/Retail Stores: Wine & Liquor: Monday thru Sunday, 8:00 a.m. until 9:00 p.m. Beer: Monday thru Sunday, 8:00 a.m. until 12:00 a.m. **Local municipalities may further restrict these hours. **
ACCEPTED ID'S	Valid state identification card or a pictured driver's license.
LEGAL LEVEL OF INTOXICATION WHILE DRIVING	.08 BAC
DRAM SHOP LAW	Licensee and server can be held liable for serving a minor. However, if the minor presented what appears to be a legal drinking age ID and appears to be over 21, they are not held liable. Also, licensee and server can be held liable for forcing someone to consume alcohol, or misrepresenting an alcoholic beverage as being alcohol-free.
ID CONFISCATION	125.039 Civil liability exemption for retaining proofs of age. "No person who holds a license or permit and no employee of such a person is civilly liable for retaining a document presented as proof of age for a reasonable length of time in a good faith effort to determine whether the person who presented the document is a underage person or to notify a law enforcement authority of a suspected violation of s. 125.085 (3) (a) or (b)."
HAPPY HOUR & OTHER SERVICE RESTRICTIONS	Wisconsin does not have laws specifically addressing Happy Hours or promotions. The law does not address whether a licensee is allowed to offer a food and drink combination for a special price – therefore it is permitted. There is no differentiation between "happy hour", "drink specials" and/or "promotions."
PENALTIES FOR SERVING OR SELLING TO A MINOR	1 st offense: up to \$500 fine. 2 nd offense (within 30 months): up to \$500 fine and/or up to 30 days imprisonment. 3 rd offense (within 30 months): up to \$1,000 fine and/or up to 90 days imprisonment. 4 th and subsequent offenses (within 30 months): up to \$ 10,000 fine and/or up to 9 months imprisonment.

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WARNING SIGNS REQUIRED ON EFFECTS
OF ALCOHOL ON FETUS?

Not required. (Interesting note: Pamphlets on fetal alcohol syndrome are required to be distributed by the county clerk to couples applying for a marriage license.)

ADDENDUM: WISCONSIN'S DRAM SHOP LAW

125.035 Civil liability exemption: furnishing alcohol beverages.

(1) In this section, "person" has the meaning given in s. 990.01 (26).

(2) A person is immune from civil liability arising out of the act of procuring alcohol beverages for or selling, dispensing or giving away alcohol beverages to another person.

(3) Subsection (2) does not apply if the person procuring, selling, dispensing or giving away alcohol beverages causes their consumption by force or by representing that the beverages contain no alcohol.

(4) (a) In this subsection, "provider" means a person, including a licensee or permittee, who procures alcohol beverages for or sells, dispenses or gives away alcohol beverages to an underage person in violation of s. 125.07 (1) (a).

(b) Subsection (2) does not apply if the provider knew or should have known that the underage person was under the legal drinking age and if the alcohol beverages provided to the underage person were a substantial factor in causing injury to a 3rd party. In determining whether a provider knew or should have known that the underage person was under the legal drinking age, all relevant circumstances surrounding the procuring, selling, dispensing or giving away of the alcohol beverages may be considered, including any circumstance under subs. 1. to 4. In addition, sub.

(2) does apply if all of the following occur:

1. The underage person falsely represents that he or she has attained the legal drinking age.
2. The underage person supports the representation with documentation that he or she has attained the legal drinking age.
3. The alcohol beverages are provided in good faith reliance on the underage person's representation that he or she has attained the legal drinking age.
4. The appearance of the underage person is such that an ordinary and prudent person would believe that he or she had attained the legal drinking age.

(5) Subsection (2) does not apply to civil forfeiture actions for violation of any provision of this chapter or any local ordinance in conformity with any provision of this chapter.