

CHAPTER 522

AN ACT to amend 66.057 of the statutes, relating to proof of age in taverns.

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

66.057 of the statutes is amended to read:

66.057 (1) Any person in premises operating under a Class "A" or Class "B" retailer's license for the sale of fermented malt beverages or in premises operating under a "Retail Class A" or a "Retail Class B" license for the sale of intoxicating liquor shall, upon demand of the person in charge of such premises or of any law enforcement officer show a certificate-card issued by the register of deeds of * * * any county or the clerk of the city, village or town of his residence or election commission thereof, stating the date of his birth and other matters as provided in sub. (2), or be regarded as a person under the age of 18 years if in premises operating under a Class "A" or a Class "B" retailer's license for the sale of fermented malt beverages or under the age of 21 years if in the premises operating under a "Retail Class A" or a "Retail Class B" license for the sale of intoxicating liquor.

(2) Any person desiring such certificate-card shall make application * * * therefor to the register of deeds of * * * any county or the clerk of the city, village or town of his residence or election commission thereof. The applicant shall pay a fee of * * * 50 cents and in cities of the first class * * * 75 cents and furnish his individual photograph and such proof of the date of his birth as the register of deeds or such clerk or commission shall require. If the register of deeds or such clerk or commission is satisfied with the proof he shall issue his certificate-card which shall show the applicant's name, description, residence, date of birth, photograph and signature and shall cause said certificate-card to be enclosed in a hermetically sealed, transparent, tamper proof cover. The commissioner of taxation shall prescribe the form of the certificate-card, the size of the photograph to be furnished by the applicant and the manner and method of affixing it to the certificate. The register of deeds or such clerk or commission shall pay the fees received under this section into the treasury of his county or municipality. Any parent may upon application to such official procure a certificate-card for any of his minor children by supplying the child's photograph and proof as above required.

(3) * * * If the person whose age may be in question is not a resident of the state and has no certificate-card as provided by subs. (1) and (2) the licensee or his agent or employe shall require the person whose age may be in question to fill out and sign in the presence of 2 witnesses, other than the licensee or his agents or employes, a statement in the following form:

STATEMENT OF AGE

..... * * *195..
(date)

I, hereby represent to that my residence and post-office address is state of and that I am years of (street or route) (post office) age having been born on 19.., at (date of birth) (place of birth)

This statement is made to induce the licensee above named to sell or otherwise furnish fermented malt beverages or intoxicating liquor to the undersigned. I understand that I am subject to a fine of not less than \$10 nor more than \$50 or to imprisonment for not to exceed 10 days or both for any misrepresentation made herein.

In presence of

..... (signature) (signature)
..... (address) (address)
..... (signature)
..... (address)

(4) The statement provided by sub. (3) shall be printed upon a 3-inch by 5-inch or a 4-inch by 5-inch file card which shall be * * * mailed by the licensee * * * within 48 hours to the district attorney of the county in which his licensed premises are situated.

(5) The signed statement procured by the licensee at the time of sale may be offered as a defense in all civil and criminal prosecutions for serving fermented malt beverages or intoxicating liquors to persons *who were not at the time residents of this state* to whom sale is prohibited by law because of such person's age, and no penalty shall be imposed if the licensing authority or the court is satisfied that the licensee acted in good faith.

Approved July 14, 1953.
