

This proposal (AB 61) allows alcohol retailers to collect money from underage youth (or their parents) if the youth attempts to purchase alcohol, regardless of whether a fake or false ID is used or not.

Despite all the talk and media attention about fake ID cards, *nothing in in Assembly Bill 61 mentions use of a fake or false identification*; it is a very broad bill that special interest groups like the Tavern League are describing in a manner that hides the real consequences of the bill.

Recent hearings and testimony ignored several important aspects of AB 61:

- The proposed amount of the recovery is \$1,000, **twice** the penalty a Wisconsin retailer or server would pay for selling alcohol to youth. Currently Wisconsin citations for selling alcohol to underage youth set a maximum \$500 forfeiture for a first offense.
- When one youth in a group attempts to purchase alcohol, all the youth present are at risk for a “recovery” attempts.
- Under this proposal, before a retailer goes to small claims court to recover funds, a letter must be sent to the youth or parents giving them just 15 days to pay if they want to avoid court costs. A youth does not need to receive a citation in order for the merchant to recover funds and the merchant only needs a preponderance of evidence to prevail in court.

While the Alaska model was praised, several aspects of the original Alaska program were not mentioned:

- In Alaska, a licensee that fails an alcohol age compliance check is almost always fined \$500 to \$1,000 **and** the retailer’s license is suspended for as long as 45 days. In Wisconsin, often the retailer pays no fine, when the clerk is cited, and cannot have his license suspended for a first offense.
- In Alaska, many retailers donate a large portion of the proceeds to charity or youth activities and provide a large financial incentive to clerks while this proposal simply lines the pockets of a powerful special interest group. Offering a cash “bounty” for fake IDs is something some Wisconsin alcohol retailers *already do* without any change in the law.
- Alaska supports alcohol age compliance checks, an effective law enforcement action that encourages retailer action with an 88.4% compliance rate this year. Alcohol age compliance checks often find Wisconsin retailers that sell alcohol to underage youth in violation of their license. Wisconsin ended financial support for alcohol age compliance checks on 2011; many municipalities try to continue to operate age compliance using property tax funds.

It is already illegal to use a false ID or purchase alcohol unless you’ve reached age 21; youth already face serious penalties if they use a false ID. **Retailers have a community responsibility to respect the minimum legal drinking age and they accepted this responsibility when they applied for a license.**