

## Underage Persons

Alcohol Beverage Laws

### Fact Sheet 3119

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This fact sheet provides information about Wisconsin alcohol beverage laws for underage persons. The legal drinking age in Wisconsin is 21 years of age or older. An "underage person" is any person under the age 21.

#### Possession and Consumption of Alcohol Beverages by Underage Persons

Possession, consumption, purchase, or procurement of alcohol beverages by an underage person is illegal, unless an exception applies. An underage person that is accompanied by a parent, guardian, or spouse of legal drinking age may possess, consume, purchase, or procure alcohol beverages. Additionally, alcohol beverages may be sold or served to accompanied underage persons in any licensed premises, at the discretion of the licensee.

#### Underage Persons Entering a Licensed Premises

Underage persons not accompanied by a parent, guardian, or spouse of legal drinking age are prohibited from attempting to enter, entering, or being on any premises for which a retail alcohol beverage license or permit has been issued. However, there are many exceptions to this prohibition. Below are some exceptions. Find a complete list of exceptions in sec. [125.07\(3\)\(a\)](#), Wis. Stats.

An unaccompanied underage person may enter a retail licensed or permitted premises that is a:

- hotel
- grocery store
- bowling center
- movie theater
- painting studio, as defined in sec. [125.02\(11m\)](#), Wis. Stats.
- billiards center having on the premises 12 or more billiards tables that are not designed for coin operation and that are 8 feet or longer in length
- indoor golf simulator facility
- outdoor volleyball court that is contiguous to a licensed establishment
- service station
- vessel (boat), see vessel requirements found in secs. [125.27\(2\)](#), and [125.51\(5\)\(c\)](#), Wis. Stats.
- private tennis or soccer club
- curling club
- ski chalet
- golf course and golf clubhouse

- railcar
- regularly established athletic field
- racetrack licensed under Chapter 562 of the Wisconsin Statutes
- center for visual or performing arts or
- municipal or county-owned public facility (arena, coliseum, related exposition facilities), as defined in sec. [125.51\(5\)\(b\)\(1\)\(d\)](#), Wis. Stats.
- Class "B" beer, "Class B" liquor, or "Class C" wine premises where the "principal business" conducted is that of a restaurant
- "Class A" liquor or Class "A" beer premises and the underage person is present to purchase items other than alcohol beverages
- dance hall attached to a Class "B" beer or "Class B" liquor premises for the purpose of attending a banquet, reception, dance, or other similar event
- temporary Class "B" beer premises, if authorized by the municipality
- temporary "Class B" wine premises under the terms found in sec. [125.51\(10\)\(b\)](#), Wis. Stats., commonly referred to as a "wine walk", and all of the following apply:
  - The municipality authorizes the licensee to permit underage persons on the licensed premises for the purpose of acting as designated drivers;
  - The licensee permits, on the licensed premises, unaccompanied underage persons to be present only for the purpose of acting as designated drivers and provides a means of identification, such as a wrist band, to identify these underage persons as designated drivers; and
  - The underage person is present on the licensed premises to act as a designated driver and displays the identification provided by the licensee.

## Employment of Underage Persons

An underage person may possess or handle alcohol beverages in the course of employment during working hours if employed by any of the following:

- brewer or brewpub
- beer wholesaler
- alcohol beverage warehouse
- winery
- liquor manufacturer/rectifier (distillery)
- liquor wholesaler
- facility for the production of alcohol fuel
- retail licensee or permittee, if the underage person is at least 18 years of age and is a licensed operator (bartender), working under the immediate supervision of a licensed operator, or an immediate family member of the licensee or permittee

**Note:** Additional exceptions to underage persons possessing alcohol beverages in the course of employment is in sec. [125.07\(4\)\(bm\)](#), Wis. Stats.

## Employment of "Minors" (Under the Age of 18 Years)

The Department of Workforce Development regulates employment of minors. Minors 14 to 17 years of age may be employed in places where alcohol beverages are present provided the minors are not serving, selling, dispensing, or giving away alcohol beverages or acting as bouncers, crowd controllers, or identification checkers (sec. [DWD 270.12\(15\)](#), Wis. Adm. Code). Underage children of an alcohol beverage licensee or permittee are also subject to these regulations.

## Any Questions?

If you are unable to find an answer to your question about alcohol beverage regulations for underage persons on the department's website, you may email, write, or call the department.

**Visit our website:** [revenue.wi.gov](http://revenue.wi.gov)

**Email:** [DORAlcoholTobaccoEnforcement@wisconsin.gov](mailto:DORAlcoholTobaccoEnforcement@wisconsin.gov)

**Write:** Wisconsin Department of Revenue  
Alcohol & Tobacco Enforcement  
P.O. Box 8933  
Madison, WI 53708-8933

**Telephone:** (608) 264-4573

### Applicable Laws and Rules

This document provides statements or interpretations of the following laws and regulations enacted as of August 15, 2022: secs. 125.02, 125.04, 125.07, 125.32, 125.51, and 125.68, [Wis. Stats.](#), and sec. DWD 270.12(15), [Wis. Adm. Code](#).

Laws enacted and in effect after this date, new administrative rules, and court decisions may change the interpretations in this document. Guidance issued prior to this date, that is contrary to the information in this document is superseded by this document, according to sec. 73.16(2)(a), Wis. Stats.

*Created August 15, 2022*