

FINAL BILL REPORT

HB 1404

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Synopsis as Enacted

Brief Description: Preventing alcohol poisoning deaths.

Sponsors: Representatives Liias, Walsh, Goodman, Roberts and Jinkins.

House Committee on Public Safety
Senate Committee on Law & Justice

Background:

Alcohol poisoning is most commonly caused by binge drinking, but can also occur through accidental ingestion of household products containing alcohol. Alcohol is absorbed through the stomach and if absorbed on an empty stomach, alcohol will begin to affect brain functions in less than one minute.

Once in the body, alcohol acts as a depressant, changing the way the body and the brain function. Generally, alcohol slows down normal functions including heart beat, breathing, and one's gag reflex that keeps a person from choking. Consuming large amounts of alcohol in a short amount of time can cause a person to pass out or keep one's organs from functioning.

Signs of alcohol poisoning include:

- consumption of large amounts of alcohol;
- inability to be woken up after drinking;
- skin that feels cold and clammy or looks pale;
- slowed or irregular breathing; and
- vomiting without waking up.

Minor in Possession of Alcohol Offense.

It is unlawful for any person under the age of 21 years to possess, consume, or otherwise acquire any liquor. A person under the age of 21 years does not have to be in actual possession of alcohol to be charged with a Minor in Possession of Alcohol (MIP) offense. If a person under the age of 21 years old is exhibiting the effects of having consumed alcohol (alcohol on the breath, results of a breathalyzer test, and statements by others, etc.), that person may be charged with a MIP offense.

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A MIP offense is a gross misdemeanor offense that is punishable by a fine of not more than \$1,000, or by imprisonment in a county jail for not more than 90 days, or by both such fine and imprisonment. If the offender is under 18 years old, the offender would be subject to local sanctions which can include up to: 30 days in confinement; 12 months of community supervision; 150 hours of community restitution; and a \$500 fine.

Summary:

A person under the age of 21 years who is in need of medical assistance as a result of alcohol poisoning or is acting in good faith when seeking medical assistance for someone else experiencing alcohol poisoning is exempt from being charged with a MIP offense if the evidence obtained for the offense was a result of needing or seeking medical assistance.

The exemption is not grounds for suppression of evidence in other criminal charges.

Votes on Final Passage:

House	72	24
Senate	44	3

Effective: July 28, 2013