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SENATE BILL 6114

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State of Washington

54th Legislature

1996 Regular Session

By Senators Kohl, Roach, Owen, Long, Smith, Winsley, Quigley, McAuliffe, Prentice, Franklin, Spanel, Haugen, Goings, Heavey and Schow

Read first time 01/08/96. Referred to Committee on Law & Justice.

1 AN ACT Relating to providing liquor to persons under age twenty-  
2 one; amending RCW 66.44.270; creating a new section; repealing RCW  
3 66.44.320; and prescribing penalties.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF WASHINGTON:

5 NEW SECTION. **Sec. 1.** The legislature finds that the provision of  
6 liquor to persons under the age of twenty-one years creates situations  
7 that are hazardous to the person, to companions of the person, and to  
8 the public at large. This act is intended to express the view of the  
9 legislature that supplying or selling liquor to persons under the age  
10 of twenty-one years is a serious offense and to appropriately penalize  
11 those who violate this act.

12 **Sec. 2.** RCW 66.44.270 and 1993 c 513 s 1 are each amended to read  
13 as follows:

14 (1)(a) It is unlawful for any person to sell, give, or otherwise  
15 supply liquor to any person under the age of twenty-one years or permit  
16 any person under that age to consume liquor on his or her premises or  
17 on any premises under his or her control. For the purposes of this

1 subsection, "premises" includes real property, houses, buildings, and  
2 other structures, and motor vehicles and watercraft.

3 (b) Violation of this subsection is a gross misdemeanor.

4 (2)(a) It is unlawful for any person under the age of twenty-one  
5 years to possess, consume, or otherwise acquire any liquor.

6 (b) It is unlawful for a person under the age of twenty-one years  
7 to be in a public place, or to be in a motor vehicle in a public place,  
8 while exhibiting the effects of having consumed liquor. For purposes  
9 of this subsection, exhibiting the effects of having consumed liquor  
10 means that a person has the odor of liquor on his or her breath and  
11 either: (i) Is in possession of or close proximity to a container that  
12 has or recently had liquor in it; or (ii) by speech, manner,  
13 appearance, behavior, lack of coordination, or otherwise, exhibits that  
14 he or she is under the influence of liquor. This subsection (2)(b)  
15 does not apply if the person is in the presence of a parent or guardian  
16 or has consumed or is consuming liquor under circumstances described in  
17 subsection (4) or (5) of this section.

18 (3) Subsections (1) and (2)(a) of this section do not apply to  
19 liquor given or permitted to be given to a person under the age of  
20 twenty-one years by a parent or guardian and consumed in the presence  
21 of the parent or guardian. This subsection shall not authorize  
22 consumption or possession of liquor by a person under the age of  
23 twenty-one years on any premises licensed under chapter 66.24 RCW.

24 (4) This section does not apply to liquor given for medicinal  
25 purposes to a person under the age of twenty-one years by a parent,  
26 guardian, physician, or dentist.

27 (5) This section does not apply to liquor given to a person under  
28 the age of twenty-one years when such liquor is being used in  
29 connection with religious services and the amount consumed is the  
30 minimal amount necessary for the religious service.

31 (6) Conviction or forfeiture of bail for a violation of this  
32 section by a person under the age of twenty-one years at the time of  
33 such conviction or forfeiture shall not be a disqualification of that  
34 person to acquire a license to sell or dispense any liquor after that  
35 person has attained the age of twenty-one years.

1        NEW SECTION.   **Sec. 3.**   RCW 66.44.320 and 1973 1st ex.s. c 209 s 19,  
2   1933 c 2 s 1, & 1929 c 200 s 1 are each repealed.

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