

HOUSE BILL ANALYSIS

SB 5072

Title: An act relating to providing liquor to persons under age 21.

Brief Description: Increasing the penalty for providing liquor to persons under age 21.

Sponsors: Senators Kohl, Roach, Fairley, Hargrove, Haugen, Goings, McCaslin, Long, Winsley and Oke.

HOUSE COMMITTEE ON CRIMINAL JUSTICE AND CORRECTIONS

Staff: Pat Shelledy (786-7149)

Background: Any person who sells, gives, or otherwise supplies liquor to a person under the age of 21, or permits consumption of liquor by a person under age 21 on his or her premises or any premises under his or her control, is guilty of violating the Alcoholic Beverage Control Act. Punishment for the first offense is a fine of not more than \$500 or imprisonment for not more than two months or both. The penalty for a second offense is imprisonment for up to six months, and the penalty for a third or subsequent offense is imprisonment up to one year. If the offender is a corporation, the first offense carries a penalty of up to \$5,000 and for a second or subsequent offense a penalty of not more than \$10,000, or forfeiture of its corporate license, or both.

Another provision in the Alcoholic Beverage Control Act provides that any person who sells any intoxicating liquor to a minor is guilty of a violation of the act. The same penalty provision applies.

Any person who invites a minor into a public place where liquor is sold and obtains liquor for the minor, or permits the minor to obtain liquor for the adult, or presents the minor to be at least 21 years of age to the owner, law enforcement, or liquor control officers, is guilty of a misdemeanor.

Summary: The Legislature finds that providing liquor to minors creates hazards for the minor, companions, and the public and the Legislature intends to express the view that giving liquor to minors is a serious offense.

The penalty for *giving or otherwise supplying* liquor to a person under age 21 is raised to a gross misdemeanor. A gross misdemeanor carries a penalty of not more than a year in jail, a \$5,000, or both. The penalty for *selling* liquor to minors remains the same.

The penalty for inviting a minor into a public place where liquor is sold and obtaining liquor for the minor, or having the minor obtain liquor for the adult, or presenting the minor as an adult is raised to a gross misdemeanor.

Require the Exercise of Rule- Making Powers: No

Fiscal Note: Requested on March 18, 1997.

Effective Date: The bill contains an emergency clause and takes effect immediately.