

# SENATE BILL REPORT

## HB 1087

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As of February 23, 1998

**Title:** An act relating to penalties for public consumption of liquor.

**Brief Description:** Providing penalties for public consumption of liquor.

**Sponsors:** Representative Sheahan.

**Brief History:**

**Committee Activity:** Law & Justice: 3/24/97, 3/27/97 [DP]; 2/23/98.

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### SENATE COMMITTEE ON LAW & JUSTICE

**Staff:** Lidia Mori (786-7755)

**Background:** The state's liquor code contains a variety of civil and criminal penalties for violations of the code. With certain exceptions, opening a liquor container or consuming liquor in public is a violation of the code. Although the violation is designated as a "misdemeanor," the only penalty provided for a violation is a fine of up to \$100. No jail time may be imposed. Because no jail time may be imposed, a court may not issue a bench warrant for the arrest of a defendant who fails to appear in court. This may result in cases languishing indefinitely.

A civil infraction results in a fine. Failure to respond to a notice of infraction results in imposition of the fine,

**Summary of Bill:** Opening a liquor container or consuming liquor in public is made a class 2 civil infraction. The maximum fine is \$125.

**Appropriation:** None.

**Fiscal Note:** Not requested.

**Effective Date:** Ninety days after adjournment of session in which bill is passed.