

SENATE BILL REPORT

HB 1117

As Reported By Senate Committee On:
Law & Justice, January 22, 1998

Title: An act relating to penalties for the supplying of liquor to or the consumption of liquor by persons under the age of twenty-one.

Brief Description: Providing penalties for supplying liquor to or consuming liquor by minors.

Sponsors: Representatives Benson, Sheahan, Costa, D. Sommers, McDonald, Gombosky, Mulliken, Robertson, O'Brien, D. Schmidt, Backlund, Sterk, Wood, Sheldon, Quall, Anderson, Boldt and DeBolt.

Brief History:

Committee Activity: Law & Justice: 4/2/97; 1/21/98 [DP].

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Roach, Chair; Johnson, Vice Chair; Fairley, Goings, Hargrove, Kline, Long, McCaslin, Stevens and Zarelli.

Staff: Lidia Mori (786-7755)

Background: The state's liquor code has a variety of penalty provisions for violations of the code. Violations of provisions that lack their own penalty provisions are covered by a general criminal penalty provision. This general provision provides the following criminal penalties for individual persons:

1. On a first conviction, a fine of up to \$500 and imprisonment for up to two months;
2. On a second conviction, imprisonment for up to six months; and
3. On a third conviction, imprisonment for up to one year.

Providing liquor to a minor and possession or consumption of liquor by a minor are crimes without specific penalty provisions and are therefore subject to this general provision. Because of the way this general provision is structured, fines may not be imposed against individuals for second or third convictions.

The maximum for a gross misdemeanor is imprisonment for one year and a fine of \$5,000.

Summary of Bill: The crimes of providing liquor to a minor and possessing or consuming liquor by a minor are made gross misdemeanors.

Appropriation: None.

Fiscal Note: Not requested.

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

Testimony For: Sentencing in these cases will be more uniform, yet judges will also have discretion.

Testimony Against: None.

Testified: Judges Mike Padden, Stephen Dwyer, WA Municipal and District Court Judges Association (pro).