

SENATE BILL REPORT

SB 6158

AS PASSED SENATE, FEBRUARY 18, 1992

Brief Description: Making under-aged persons in a public place under the influence of alcohol guilty of a misdemeanor.

SPONSORS: Senators L. Smith, Snyder and Conner

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

Signed by Senators Nelson, Chairman; Thorsness, Vice Chairman; Erwin, M. Kreidler, Madsen, and Rasmussen.

Staff: Lidia Mori (786-7755)

Hearing Dates: February 4, 1992; February 5, 1992

BACKGROUND:

It is unlawful for a minor to possess, consume, or otherwise acquire any liquor. Some counties, including Cowlitz County, have passed ordinances that make it a misdemeanor for a minor to appear in public after consuming alcohol. However, the State Supreme Court has since found the Cowlitz County ordinance to be in conflict with RCW 70.96A.190. This state law preempts most local regulation of alcohol and therefore the court found the ordinance to be unconstitutional.

An additional problem associated with the ordinances is that a police officer in one county cannot arrest a minor if the consumption or possession of alcohol occurred in a different county.

SUMMARY:

It is unlawful for a minor to be in a public place or to be in a motor vehicle that is in a public place after having consumed alcohol, unless the minor is in the presence of a parent or guardian and the parent or guardian gave the minor the liquor, or it was consumed for medicinal or religious purposes.

Appropriation: none

Revenue: none

Fiscal Note: requested

TESTIMONY FOR:

Forty percent of our health care costs are related to alcohol problems.

TESTIMONY AGAINST: None

TESTIFIED: Shirley Anderson (pro); DWI Victim Panel, MADD, Kathleen Rusk (pro); Rich Aanderud, Puyallup PRIDE (pro); Raymond Mahr (pro); De. Cecil Snodgrass, Washington State Medical Association (pro)