
SUBSTITUTE HOUSE BILL 2296

State of Washington 52nd Legislature 1992 Regular Session

By House Committee on Judiciary (originally sponsored by Representatives Rasmussen, Padden, Wineberry, Mielke, Locke, Forner, Haugen, Ebersole, Scott, Nelson, Kremen, Chandler, Ludwig, Paris, Broback, Riley, Tate, Dorn, Vance, Lisk, Van Luven, Sheldon, Hochstatter, Silver and P. Johnson)

Read first time 02/07/92.

1 AN ACT Relating to persons under the age of twenty-one who are
2 apparently under the influence of alcohol in a public place; amending
3 RCW 66.44.270; and prescribing penalties.

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

5 **Sec. 1.** RCW 66.44.270 and 1987 c 458 s 3 are each amended to read
6 as follows:

7 (1) It is unlawful for any person to sell, give, or otherwise
8 supply liquor to any person under the age of twenty-one years or permit
9 any person under that age to consume liquor on his or her premises or
10 on any premises under his or her control. For the purposes of this
11 subsection, "premises" includes real property, houses, buildings, and
12 other structures, and motor vehicles and watercraft.

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

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

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

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

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

27 (6) Conviction or forfeiture of bail for a violation of this
28 section by a person under the age of twenty-one years at the time of
29 such conviction or forfeiture shall not be a disqualification of that
30 person to acquire a license to sell or dispense any liquor after that

1 person has attained the age of twenty-one years.