

HOUSE BILL REPORT

HB 2872

As Reported By House Committee On:
Commerce & Labor

Title: An act relating to use of false identification to obtain liquor.

Brief Description: Making it a gross misdemeanor to use false identification to obtain liquor.

Sponsors: Representatives Veloria, Lisk, Caver, Springer and Leonard.

Brief History:

Reported by House Committee on:
Commerce & Labor, February 4, 1994, DPS.

HOUSE COMMITTEE ON COMMERCE & LABOR

Majority Report: The substitute bill be substituted therefor and the substitute bill do pass. Signed by 8 members: Representatives Heavey, Chair; G. Cole, Vice Chair; Lisk, Ranking Minority Member; Chandler, Assistant Ranking Minority Member; Conway; Horn; King and Veloria.

Minority Report: Do not pass. Signed by 1 member: Representative Springer.

Staff: Anastasia Sandstrom (786-7349) and Jim Kelley (786-7166).

Background: It is illegal for a person under the age of 21 to possess, consume or purchase liquor.

It is a misdemeanor, with a minimum penalty of \$250, for a person between the ages of 18 and 20 to purchase or attempt to purchase liquor.

It is a misdemeanor for a person under the age of 21 to represent himself or herself as over 21 in order to gain admission to a tavern or cocktail lounge.

It is a misdemeanor, with a minimum fine of \$250, to transfer identification to a minor for the purpose of enabling the minor to obtain alcoholic beverages.

It is a gross misdemeanor, with a minimum fine of \$2,500, to forge or supply identification to a person under the age of 21 for the purpose of allowing the minor to purchase liquor.

If a juvenile, age 13 or older and under age 18, violates any provision of the liquor code, he or she loses his or her driver's license. The period of revocation for a first offense is one year or until the juvenile reaches age 17, whichever is longer.

The liquor code does not address the use by minors of false identification to purchase alcoholic beverages.

Summary of Substitute Bill: It is a gross misdemeanor for a person to use the identification of another person or to use forged identification for the purpose of acquiring or purchasing alcoholic beverages.

Any person who is convicted of a violation of this act is to be fined at least \$250.

If convicted of a violation of this act, the driver's license of a person who is age 18 or older and is younger than age 21 is revoked for the period of one year.

Substitute Bill Compared to Original Bill: The original bill did not include revocation of drivers' licenses as a consequence for convictions of the gross misdemeanor created by the original bill. The substitute requires that a conviction result in the department of licensing revoking the driver's license of a person who is age 18 or older and is younger than age 21.

Fiscal Note: Requested January 31, 1994.

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

Testimony For: The attempted use of fake identification by minors is a significant problem for restaurant and tavern operators. If a server sells an alcoholic beverage to a minor it is a crime and the restaurant is liable for stiff administrative penalties. This bill puts a corresponding sanction on the minor. The bill sends a message to minors that there are consequences for using false identification to acquire alcoholic beverages. There needs to be stiffer penalties in addition to the ones provided for in the bill.

Testimony Against: None.

Witnesses: (In favor) Ben Kim, Red Robin; Carter Mitchell, Liquor Control Board; Steven Aldrich, Hotel and Restaurant

Employees Union; T.K. Bentler, United Food and Commercial
Workers; and Jim Boldt, Washington Food Dealers Association.