

SENATE BILL REPORT

SB 5072

As Passed Senate, March 12, 1997

Title: An act relating to providing liquor to persons under age twenty-one.

Brief Description: Increasing the penalty for providing liquor to persons under age twenty-one.

Sponsors: Senators Kohl, Roach, Fairley, Hargrove, Haugen, Goings, McCaslin, Long, Winsley and Oke.

Brief History:

Committee Activity: Law & Justice: 2/25/97 [DP].
Passed Senate, 3/12/97, 44-0.

SENATE COMMITTEE ON LAW & JUSTICE

Majority Report: Do pass.

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

Staff: David Johnson (786-7754)

Background: Any person who sells, gives, or otherwise supplies liquor to a person under the age of 21, or permits consumption of liquor on his or her premises or any premises under his or her control by a person under age 21, is guilty of violating the Alcoholic Beverage Control Act. The violation is a misdemeanor and the punishment for the first offense is a fine of not more than \$500 or imprisonment for not more than two months or both.

There is concern that the current penalty for supplying liquor to a person under age 21 or allowing consumption of liquor by a person under age 21 is not commensurate with the serious consequences that can ensue when a violation occurs.

Summary of Bill: It is a gross misdemeanor to give or supply liquor to a person under the age of 21. A person who allows a youth under the age of 21 to consume liquor on premises owned by the person or under his or her control is guilty of a gross misdemeanor. A person who invites a minor into a place where liquor is sold and purchases liquor for the minor or allows the minor to purchase liquor for the adult commits a gross misdemeanor. It is also a gross misdemeanor to hold out such minor to be 21 years of age to an owner or employee of the liquor establishment or to a law enforcement officer or liquor enforcement officer.

Appropriation: None.

Fiscal Note: Not requested.

Effective Date: The bill contains an emergency clause and takes effect immediately.

Testimony For: Every year near graduation time, young people get killed in automobile accidents where alcohol is involved and in some of those cases, the alcohol was supplied by an adult to the minors. By increasing the penalty for supplying alcohol to a minor, a message is sent to adults that this is considered a serious offense. The current classification of this crime as a misdemeanor allows adults that supply alcohol to minors to get away with virtually no punishment while the consequences of their actions can be devastating. The definition of sale— is giving or distributing in any way so leaving the sale of liquor to minors a misdemeanor but increasing the providing of liquor to minors to a gross misdemeanor could cause a conflict.

Testimony Against: None.

Testified: PRO: Senator Kohl; Gary Gilbert, Liquor Control Board (w/concerns); Randy Blair.