
SENATE BILL 5072

State of Washington

55th Legislature

1997 Regular Session

By Senators Kohl, Roach, Fairley, Hargrove, Haugen, Goings, McCaslin, Long, Winsley and Oke

Read first time 01/14/97. Referred to Committee on Commerce & Labor.

1 AN ACT Relating to providing liquor to persons under age twenty-
2 one; amending RCW 66.44.270 and 66.44.300; creating a new section;
3 prescribing penalties; and declaring an emergency.

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

5 NEW SECTION. **Sec. 1.** The legislature finds that the provision of
6 liquor to persons under the age of twenty-one years creates situations
7 that are hazardous to the person, to companions of the person, and to
8 the public at large. This act is intended to express the view of the
9 legislature that supplying or furnishing liquor to persons under the
10 age of twenty-one years is a serious offense and to appropriately
11 penalize those who violate this act.

12 **Sec. 2.** RCW 66.44.270 and 1993 c 513 s 1 are each amended to read
13 as follows:

14 (1)(a) It is unlawful for any person to (~~sell~~) give(~~to~~) or
15 otherwise supply liquor to any person under the age of twenty-one years
16 or permit any person under that age to consume liquor on his or her
17 premises or on any premises under his or her control. For the purposes

1 of this subsection, "premises" includes real property, houses,
2 buildings, and other structures, and motor vehicles and watercraft.

3 (b) Violation of this subsection is a gross misdemeanor.

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

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

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

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

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

31 (6) Conviction or forfeiture of bail for a violation of this
32 section by a person under the age of twenty-one years at the time of
33 such conviction or forfeiture shall not be a disqualification of that
34 person to acquire a license to sell or dispense any liquor after that
35 person has attained the age of twenty-one years.

36 **Sec. 3.** RCW 66.44.300 and 1994 c 201 s 7 are each amended to read
37 as follows:

1 Any person who invites a minor into a public place where liquor is
2 sold and treats, gives or purchases liquor for such minor, or permits
3 a minor to treat, give or purchase liquor for the adult; or holds out
4 such minor to be twenty-one years of age or older to the owner or
5 employee of the liquor establishment, a law enforcement officer, or a
6 liquor enforcement officer shall be guilty of a gross misdemeanor.

7 NEW SECTION. **Sec. 4.** This act is necessary for the immediate
8 preservation of the public peace, health, or safety, or support of the
9 state government and its existing public institutions, and shall take
10 effect immediately.

--- END ---