



General Assembly

January Session, 2003

***Raised Bill No. 6693***

LCO No. 4603

Referred to Committee on Judiciary

Introduced by:  
(JUD)

***AN ACT CONCERNING UNDERAGE DRINKING.***

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-89 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) Any person to whom the sale of alcoholic liquor is by law  
4 forbidden who purchases or attempts to purchase such liquor or who  
5 makes any false statement for the purpose of procuring such liquor  
6 shall be fined not less than two hundred nor more than five hundred  
7 dollars.

8 (b) (1) Any minor who possesses any alcoholic liquor [on any street  
9 or highway or in any public place or place open to the public,  
10 including any club which is open to the public,] shall be fined not less  
11 than two hundred nor more than five hundred dollars. In addition to  
12 imposing such fine, the court may order such minor to perform not  
13 more than one hundred eighty days of community service, as defined  
14 in section 14-227e, and undergo mental health or substance abuse  
15 counseling if an evaluation ordered by the court indicates that such  
16 minor would benefit from such counseling.

17       (2) The provisions of this subsection shall not apply to [(1)] (A) a  
18 person over age eighteen who is an employee or permit holder under  
19 section 30-90a and who possesses alcoholic liquor in the course of [his]  
20 such person's employment or business, [(2)] (B) a minor who possesses  
21 alcoholic liquor on the order of a practicing physician, or [(3)] (C) a  
22 minor who possesses alcoholic liquor while accompanied by a parent,  
23 guardian or spouse, who has attained the age of twenty-one.

24       (3) For the purposes of this subsection, "minor" means a person  
25 under twenty-one years of age.

26       Sec. 2. Section 14-111e of the general statutes is repealed and the  
27 following is substituted in lieu thereof (*Effective October 1, 2003*):

28       (a) The Commissioner of Motor Vehicles shall suspend, for a period  
29 of one hundred fifty days, the motor vehicle operator's license,  
30 motorcycle operator's license or nonresident operating privilege of any  
31 person under the age of twenty-one who has been convicted of a  
32 violation of section 30-88a involving the misuse of an operator's license  
33 or section 30-89, as amended by this act, involving the purchase [and]  
34 or possession of alcoholic liquor by a minor.

35       (b) Any person under the age of twenty-one who has not been  
36 issued a motor vehicle operator's license under section 14-36 or a  
37 motorcycle operator's license under section 14-40a and who has been  
38 convicted of a violation of section 30-88a involving the misuse of an  
39 operator's license, section 30-89, as amended by this act, involving the  
40 purchase [and] or possession of alcoholic liquor by a minor or  
41 subsection (e) of section 1-1h involving the misuse of an identity card,  
42 shall not be issued a new operator's license by the commissioner under  
43 section 14-36 or [section] 14-40a until a period of one hundred fifty  
44 days has elapsed from the date all applicable requirements for any  
45 such license have been satisfied by the applicant.

46       Sec. 3. Subsection (b) of section 30-86 of the general statutes is  
47 repealed and the following is substituted in lieu thereof (*Effective*

48 *October 1, 2003*):

49 (b) (1) Any permittee or any servant or agent of a permittee who  
50 sells or delivers alcoholic liquor to any minor [,] or [to] any intoxicated  
51 person, or to any habitual drunkard, knowing the person to be such an  
52 habitual drunkard, shall be subject to the penalties of section 30-113.

53 (2) Any person who sells, ships, delivers or gives any [such liquors  
54 to such] alcoholic liquor to a minor, by any means, including, but not  
55 limited to, the Internet or any other on-line computer network, or at  
56 any location, including, but not limited to, a dwelling unit or private  
57 property, except on the order of a practicing physician, shall be fined  
58 not more than one thousand five hundred dollars or imprisoned not  
59 more than eighteen months, or both.

60 (3) (A) No person twenty-one years of age or older having  
61 possession or control of any dwelling unit or private property shall (i)  
62 knowingly allow two or more minors to possess alcoholic liquor in  
63 violation of subsection (b) of section 30-89, as amended by this act, in  
64 such dwelling unit or on such private property, or (ii) knowing or  
65 under circumstances which would lead a reasonable person to believe  
66 that two or more minors possess alcoholic liquor in violation of  
67 subsection (b) of section 30-89, as amended by this act, in such  
68 dwelling unit or on such private property, fail to make reasonable  
69 efforts to halt such possession.

70 (B) Any person who violates the provisions of this subdivision shall,  
71 for a first offense, be fined not more than five hundred dollars or  
72 imprisoned not more than one year, or both, and may be ordered to  
73 perform not more than one hundred eighty days of community  
74 service, as defined in section 14-227e, and, for a second offense, be  
75 fined not more than one thousand five hundred dollars or imprisoned  
76 not more than eighteen months, or both, except that if any person  
77 violates the provisions of this subdivision and, as a result of such  
78 violation, a minor becomes intoxicated and such minor, in  
79 consequence of such intoxication, thereafter causes the serious physical

80 injury, as defined in section 53a-3, or death of himself or herself or of  
81 another person, such person shall be fined not more than ten thousand  
82 dollars or imprisoned not more than ten years, or both.

83 (4) The provisions of this [section] subsection shall not apply [(1)]  
84 (A) to a sale, shipment or delivery made to a person over age eighteen  
85 who is an employee or permit holder under section 30-90a and where  
86 such sale, shipment or delivery is made in the course of such person's  
87 employment or business, [(2)] (B) to a sale, shipment or delivery made  
88 in good faith to a minor who practices any deceit in the procurement of  
89 an identity card issued in accordance with the provisions of section  
90 1-1h, who uses or exhibits any such identity card belonging to any  
91 other person or who uses or exhibits any such identity card that has  
92 been altered or tampered with in any way, or [(3)] (C) to a shipment or  
93 delivery made to a minor by a parent, guardian or spouse of the minor,  
94 provided such parent, guardian or spouse has attained the age of  
95 twenty-one and provided such minor possesses such alcoholic liquor  
96 while accompanied by such parent, guardian or spouse.

97 (5) For the purposes of this subsection, "minor" means a person  
98 under twenty-one years of age.

This act shall take effect as follows:	
Section 1	October 1, 2003
Sec. 2	October 1, 2003
Sec. 3	October 1, 2003

**Statement of Purpose:**

To prohibit minors possessing alcohol on private property, provide an array of sanctions and services for minors arrested for possessing alcohol and provide criminal penalties for adults who host or permit "house parties" where minors possess and consume alcohol.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*