



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 Section 30-89 of the general statutes is repealed and the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 hours 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] such
23 minor's parent, guardian or spouse, who has attained the age of
24 twenty-one.

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

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 Section 14-111e of the general statutes is repealed and the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

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

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

47 Sec. 3. Subsection (b) of section 30-86 of the general statutes is
48 repealed and the following is substituted in lieu thereof (*Effective*
49 *October 1, 2003*):

50 (b) (1) Any permittee or any servant or agent of a permittee who

51 sells or delivers alcoholic liquor to any minor [.] or [to] any intoxicated
52 person, or to any habitual drunkard, knowing the person to be such an
53 habitual drunkard, shall be subject to the penalties of section 30-113.
54 [Any person who sells, ships, delivers or gives any such liquors to
55 such]

56 (2) No person shall sell, ship, deliver or give alcoholic liquor to a
57 minor, by any means, including, but not limited to, the Internet or any
58 other on-line computer network, or at any location, including, but not
59 limited to, a dwelling unit or private property, except on the order of a
60 practicing physician. [, shall be fined not more than one thousand five
61 hundred dollars or imprisoned not more than eighteen months, or
62 both.] Any person who violates the provisions of this subdivision, for a
63 first offense, shall be fined not more than five hundred dollars or
64 imprisoned not more than one year, or both, and may be ordered to
65 perform not more than one hundred eighty hours of community
66 service, as defined in section 14-227e, and, for a second offense, shall
67 be fined not more than one thousand five hundred dollars or
68 imprisoned not more than eighteen months, or both.

69 (3) No person twenty-one years of age or older having possession or
70 control of any dwelling unit or private property shall (A) knowingly
71 permit a minor to possess alcoholic liquor in violation of subsection (b)
72 of section 30-89, as amended by this act, in such dwelling unit or on
73 such private property, or (B) knowing that a minor possesses alcoholic
74 liquor in violation of subsection (b) of section 30-89, as amended by
75 this act, in such dwelling unit or on such private property, fail to make
76 reasonable efforts to halt such possession. Any person who violates the
77 provisions of this subdivision, for a first offense, shall be fined not
78 more than five hundred dollars or imprisoned not more than one year,
79 or both, and may be ordered to perform not more than one hundred
80 eighty hours of community service, as defined in section 14-227e, and,
81 for a second offense, shall be fined not more than one thousand five
82 hundred dollars or imprisoned not more than eighteen months, or
83 both.

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

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

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

JUD *Joint Favorable Subst.*