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**Testimony in support of HB 5360 - AN ACT PROHIBITING CERTAIN PERSONS
FROM ALLOWING MINORS TO POSSESS ALCOHOLIC LIQUOR IN
DWELLING UNITS AND ON PRIVATE PROPERTY**

Good morning. I'm State Representative John Frey from Ridgefield and I would like to first thank the General Law Committee for forwarding this bill and the leadership of the Judiciary Committee for allowing a second hearing today.

Over the past several years, this legislature has enacted several bills in an effort to curb underage drinking. I'm sure not unique to my district, a gathering in private homes of minors where alcohol is served is becoming more common. Thanks to Ridgefield Police Chief John Roche and Ridgefield First Selectman Rudy Marconi, it was suggested that our so-called social hosting laws needed revision.

Let me clarify right at the beginning -- we are not talking about parents serving alcohol to their own children. That is addressed elsewhere in state statute.

Social host laws are important because of the powerful message they send and the potential they have for reducing youth access to alcohol. Such laws are recognized as best practices by leading prevention and research institutions.

Studies conducted to date on social host laws have reported the following effects; helping to establish a community norm that rejects underage drinking as an acceptable part of growing up, holding youth accountable for underage drinking parties planned without the knowledge of their parents, encouraging parents and other adults to take reasonable steps to prevent teenage drinking parties while they are away, increasing awareness and providing incentive for party hosts to be vigilant in preventing underage drinking, deterring adults and youth from hosting parties where underage drinking occurs, and allowing public safety personnel to issue a citation or charge individuals who host underage drinking parties for 'providing the place for underage drinking to occur.'

Parents and other adults are in the best position to deter and prevent underage drinking parties, but some fail to take reasonable steps to do so. Well publicized social host laws can be effective at encouraging more parents and adults to step up to their responsibility - enforcing underage drinking laws and keeping youth and the public safe is a collective responsibility.

Since the Public Hearing before the General Law Committee, and in consultation with Chief State's Attorney Kevin Kane, there are a couple of language changes are suggested that would give the violation greater enforcement power and make the first violation a misdemeanor, instead of a simple infraction that it is today. It also removes language in section (a) that the State's Attorney correctly suggested appeared to remove one of the barriers to discourage underage drinking, that being the liability imposed on a property owner. Suggested substitute language:

AN ACT PROHIBITING CERTAIN PERSONS FROM ALLOWING MINORS TO POSSESS ALCOHOLIC LIQUOR IN DWELLING UNITS AND ON PRIVATE PROPERTY.

Be it enacted by the Senate and House of Representatives in General Assembly convened:
Section 1. Section 30-89a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall, [while being physically present in such dwelling unit or on such private property.] (1) knowingly, recklessly, or with criminal negligence permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property, or (2) knowing, recklessly, or with criminal negligence, permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property, fail to make reasonable efforts to halt such possession. For the purposes of this subsection, "minor" means a person under twenty-one years of age.

Furthermore, State's Attorney Kane suggests, in section (b) that instead of specifying the penalty (b) should say: "Allowing minors to possess....." is a class A misdemeanor. (The maximum penalty for an A misdemeanor is 1 year and/or a \$2,000 fine).

I thank the Judiciary Committee for your consideration of this bill and ask that you report it favorably out of your committee for action.

