



House of Representatives

General Assembly

File No. 203

February Session, 2014

House Bill No. 5336

House of Representatives, March 31, 2014

The Committee on General Law reported through REP. BARAM of the 15th Dist., Chairperson of the Committee on the part of the House, that the bill ought to pass.

AN ACT CONCERNING THE POSSESSION OF ALCOHOLIC LIQUOR BY MINORS.

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

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 Section 30-89a of the general statutes is repealed and the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

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

13 (b) Any person who violates the provisions of subsection (a) of this

14 section shall be guilty of a class A misdemeanor.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-89a

GL *Joint Favorable*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Judicial Dept.	GF - Potential Revenue Loss	Less than \$17,000	Less than \$17,000

Municipal Impact: None

Explanation

The bill results in a potential minimal revenue loss by adding a requirement that the property owner must know that the minor is in possession of alcohol in order to violate the statute. In FY 13 there were 117 violations that resulted in fines of approximately \$17,000.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

Sources: *Judicial Department Offenses and Revenue Database*

OLR Bill Analysis**HB 5336*****AN ACT CONCERNING THE POSSESSION OF ALCOHOLIC LIQUOR BY MINORS.*****SUMMARY:**

Current law prohibits someone who owns or controls private property, including a dwelling unit, from failing to make reasonable efforts to prevent a minor (person under age 21) from illegally possessing alcohol. This bill requires the person to know that the minor possesses alcohol on the property before being required to make the reasonable efforts to halt possession.

By law, it is a class A misdemeanor if the person knowingly, recklessly, or with criminal negligence permits a minor to possess alcohol illegally in the unit or on the property. A class A misdemeanor is punishable by up to one year's imprisonment, up to a \$2,000 fine, or both.

EFFECTIVE DATE: Upon passage

COMMITTEE ACTION

General Law Committee

Joint Favorable

Yea 17 Nay 0 (03/13/2014)