

2001 ASSEMBLY BILL 306

April 12, 2001 – Introduced by Representatives OWENS, STARZYK, AINSWORTH, JESKEWITZ, LADWIG, OTT and TOWNSEND, cosponsored by Senators ROESSLER and DARLING. Referred to Committee on State Affairs.

1 **AN ACT to amend** 125.075 (title) and 125.075 (1) (intro.) of the statutes; **relating**
2 **to:** providing alcohol beverages to persons who are 18, 19, or 20 years of age and
3 providing a penalty.

Analysis by the Legislative Reference Bureau

Current law establishes a minimum legal drinking age of 21 years of age. No person may procure for, sell, dispense, or give away any alcohol beverages to any person who has not reached the minimum legal drinking age (an “underage person”), unless the underage person is accompanied by his or her parent, guardian, or spouse who has attained the legal drinking age.

Also under current law, it is a felony to unlawfully provide alcohol beverages to a person under 18 years of age (“child”) who dies or suffers great bodily harm as a result of consuming the alcohol beverages. In addition to any other penalties imposed for providing alcohol beverages to the underage person, any person who unlawfully procures alcohol beverages for or sells, dispenses, or gives away alcohol beverages to a child may be penalized if the person knew or should have known that the child was under the legal drinking age and the child dies or suffers great bodily harm as a result of consuming the alcohol beverages. In determining whether a person knew or should have known that the child was under the legal drinking age, all relevant circumstances surrounding the procuring, selling, dispensing, or giving away of the alcohol beverages may be considered. A person who is found guilty of this felony may be fined not more than \$10,000 or imprisoned for not more than seven years and six months, or both fined and imprisoned.

