



2007 ASSEMBLY BILL 196

March 19, 2007 - Introduced by Representatives BIES, MOULTON, MONTGOMERY, KERKMAN, LEMAHIEU, JESKEWITZ, MURSAU and A. OTT. Referred to Committee on Criminal Justice.

- 1 **AN ACT to amend** 125.075 (title) and 125.075 (1) (intro.) of the statutes; **relating**
2 **to:** providing alcohol beverages to an underage person who suffers great bodily
3 harm or death from their consumption.

Analysis by the Legislative Reference Bureau

Under current law, with certain exceptions, a person who has not reached the legal drinking age of 21 years (underage person), and who is not accompanied by his or her parent, guardian, or spouse who has reached the legal drinking age, may not knowingly possess or consume alcohol beverages and may not enter or be on any premises for which a license or permit for the retail sale of alcohol beverages has been issued. No person (including a licensee or permittee) may procure for, sell, dispense, or give away alcohol beverages to an underage person who is not accompanied by his or her parent, guardian, or spouse who has reached the legal drinking age. If a person procures alcohol beverages for or sells, dispenses, or gives away alcohol beverages (provider) to a person under 18 years of age (minor) in violation of these prohibitions, and the provider knew or should have known that the minor was under the legal drinking age, the provider is guilty of a Class H felony if the minor suffers great bodily harm, and is guilty of a Class G felony if the minor dies, as a result of consuming the alcohol beverages provided. A Class H felony is punishable by a fine of not more than \$10,000 or a term of imprisonment of up to six years or both. A Class G felony is punishable by a fine of not more than \$25,000 or a term of imprisonment of up to ten years or both.

This bill applies these penalties to a provider with respect to any underage person, including an underage person who is 18, 19, or 20 years of age.

