

CHAPTER 105**PURCHASE, POSSESSION, OR CONTROL OF ALCOHOL
BY PERSONS UNDER LEGAL AGE***H.F. 275*

AN ACT relating to the purchase, possession, or consumption of alcohol by a person under legal age, and providing a penalty.

Be It Enacted by the General Assembly of the State of Iowa:

Section 1. Section 123.47, subsection 3, Code 2005, is amended to read as follows:

3. a. A person who is under legal age, other than a licensee or permittee, who violates this section regarding the purchase of or attempt to purchase alcoholic liquor, wine, or beer, or possessing or having control of alcoholic liquor, wine, or beer, commits a the following:

(1) A simple misdemeanor punishable by a fine of one hundred dollars for the first offense as a scheduled violation under section 805.8C, subsection 7.

(2) A second or subsequent offense shall be a simple misdemeanor punishable by a fine of two five hundred dollars and the suspension of the person's motor vehicle operating privileges for a period not to exceed one year. In addition to any other applicable penalty, the person in violation of this section shall choose between either completing a substance abuse evaluation or the suspension of the person's motor vehicle operating privileges for a period not to exceed one year.

(3) A third or subsequent offense shall be a simple misdemeanor punishable by a fine of five hundred dollars and the suspension of the person's motor vehicle operating privileges for a period not to exceed one year.

b. The court may, in its discretion, order the person who is under legal age to perform community service work under section 909.3A, of an equivalent value to the fine imposed under this section. ~~However, if~~

c. ~~If~~ the person who commits ~~the a~~ violation of this section is under the age of eighteen, the matter shall be disposed of in the manner provided in chapter 232.

Sec. 2. Section 805.8C, Code 2005, is amended by adding the following new subsection:
NEW SUBSECTION. 7. ALCOHOL BEVERAGE VIOLATIONS BY PERSONS UNDER LEGAL AGE. For first offense violations of section 123.47, subsection 3, the scheduled fine is two hundred dollars.

Approved May 4, 2005