

FEB 6 1996

JUDICIARY

HOUSE FILE 2159
BY DAGGETT

Passed House, Date _____ Passed Senate, Date _____
Vote: Ayes _____ Nays _____ Vote: Ayes _____ Nays _____
Approved _____

A BILL FOR

1 An Act increasing certain fines for provision of alcohol to
2 underage drinkers.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

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HF 2159

1 Section 1. Section 123.47A, subsection 1, Code 1995, is
2 amended to read as follows:

3 1. A person shall not sell, give, or otherwise supply
4 alcoholic liquor, wine, or beer to any person knowing or
5 having reasonable cause to believe that the person is age
6 eighteen, nineteen, or twenty. A person age eighteen,
7 nineteen, or twenty shall not purchase or possess alcoholic
8 liquor, wine, or beer. However, a person age eighteen,
9 nineteen, or twenty may possess alcoholic liquor, wine, or
10 beer given to the person within a private home with the
11 knowledge, presence, and consent of the person's parent or
12 guardian, or with the signed, written consent of the parent or
13 guardian specifying the date and place for the consumption and
14 displayed by the person upon demand, and a person age
15 eighteen, nineteen, or twenty may handle alcoholic liquor,
16 wine, and beer during the course of the person's employment by
17 a liquor control licensee, or wine or beer permittee. A
18 person, other than a licensee or permittee, who commits a
19 first offense under this section commits a scheduled violation
20 of section 805.8, subsection 10. A person, other than a
21 licensee or permittee, who commits a second or subsequent
22 violation of this section, commits a simple misdemeanor. A
23 licensee or permittee who violates this section with respect
24 to a person who is age nineteen or twenty is guilty of a
25 ~~simple~~ serious misdemeanor punishable only by a fine of not
26 more than fifty five hundred dollars. The penalty provided
27 under this section against a licensee or permittee who
28 violates this section with respect to a person who is age
29 nineteen or twenty is the only penalty which shall be imposed
30 against a licensee or permittee who violates this section. A
31 licensee or permittee who violates this section with respect
32 to a person who is age eighteen commits a simple misdemeanor,
33 and is subject to the criminal and civil penalties provided
34 pursuant to sections 123.49 and 123.50 with respect to
35 selling, giving, or otherwise supplying alcoholic beverages,

1 liquor, wine, or beer to persons under legal age.

2 Sec. 2. Section 805.8, subsection 10, paragraph a, Code
3 Supplement 1995, is amended to read as follows:

4 a. For violations of section 123.47A, which constitute
5 first offenses as provided in that section, the scheduled fine
6 is fifteen one hundred dollars.

7 EXPLANATION

8 This bill replaces the current scheduled fine of \$15 with a
9 scheduled fine of \$100 for a first violation of section
10 123.47A, regarding the provision of alcohol, by a person other
11 than a licensee or permittee, to persons age 18, 19, or 20.

12 This bill also replaces the maximum fine of \$50 with a
13 maximum fine of \$500 for a violation of the section by a
14 licensee or permittee who provides alcohol to a person who is
15 19 or 20.

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