

FEB 11 2000

JUDICIARY

HOUSE FILE
BY LARSON

2243

(COMPANION TO 6092SS BY
SCHUERER)

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

A BILL FOR

1 An Act relating to the criminal penalties for a person under
2 legal age who purchases, attempts to purchase, or possesses an
3 alcoholic beverage.

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

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HF 2243

1 Section 1. Section 123.47, subsection 3, Code Supplement
2 1999, is amended to read as follows:

3 3. A person who is under legal age, other than a licensee
4 or permittee, who violates this section regarding the purchase
5 of or attempt to purchase alcoholic liquor, wine, or beer, or
6 possessing or having control of alcoholic liquor, wine, or
7 beer, commits a simple misdemeanor punishable by a fine of ~~one~~
8 five hundred dollars for the first offense. A second or
9 subsequent offense shall be a simple misdemeanor punishable by
10 a fine of ~~two~~ five hundred dollars and the suspension of the
11 person's motor vehicle operating privileges for a period not
12 to exceed one year. The court may, in its discretion, order
13 the person who is under legal age to perform community service
14 work under section 909.3A, of an equivalent value to the fine
15 imposed under this section. However, if the person who
16 commits the violation of this section is under the age of
17 eighteen, the matter shall be disposed of in the manner
18 provided in chapter 232.

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EXPLANATION

20 This bill relates to the criminal penalties for a person
21 under legal age who purchases, attempts to purchase, or
22 possesses an alcoholic beverage.

23 The bill provides that a person under legal age who
24 purchases, attempts to purchase, or possesses an alcoholic
25 beverage is guilty of a simple misdemeanor punishable by a
26 fine of \$500 for a first or subsequent offense. Under
27 existing law, a person under legal age is guilty of a simple
28 misdemeanor punishable by a fine of \$100 for a first offense,
29 and a simple misdemeanor punishable by a fine of \$200 for a
30 second or subsequent offense. A driver's license of a person
31 under legal age is also suspended for a second or subsequent
32 offense under existing law.

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