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A BILL FOR AN ACT

RELATING TO PROMOTING INTOXICATING LIQUOR TO A MINOR.

**BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF HAWAII:**

1 SECTION 1. This Act shall be known as the "Jail Time for  
2 Giving Liquor to Minors Act."

3 SECTION 2. Section 712-1250.5, Hawaii Revised Statutes, is  
4 amended by amending subsection (5) to read as follows:

5 "(5) Promoting intoxicating liquor to a minor is a petty  
6 misdemeanor. Every person convicted of violating this section  
7 shall be sentenced as follows:

8 (a) For a first conviction, the person shall serve a  
9 minimum term of imprisonment of not less than ten  
10 days;

11 (b) For a second conviction within five years, the person  
12 shall serve a term of imprisonment of not less than  
13 twenty days; and

14 (c) For a third or subsequent conviction within five  
15 years, the person shall serve a term of imprisonment  
16 of not less than thirty days."

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1 SECTION 3. Statutory material to be repealed is bracketed  
2 and stricken. New statutory material is underscored.

3 SECTION 4. This Act shall take effect upon its approval.

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INTRODUCED BY:

Calvin K. Y. Ang

BY REQUEST

JAN 23 2006

HB 2304

JUSTIFICATION SHEET

DEPARTMENT: Attorney General

TITLE: A BILL FOR AN ACT RELATING TO PROMOTING  
INTOXICATING LIQUOR TO A MINOR.

PURPOSE: To change the classification of the offense  
of promoting intoxicating liquor to a minor  
from a misdemeanor to a petty misdemeanor  
and to provide for a mandatory jail sentence  
for those convicted of the offense.

MEANS: Amend section 712-1250.5(5), Hawaii Revised  
Statutes.

JUSTIFICATION: Underage drinking is too common in Hawaii.  
Very often underage drinkers convince adults  
to buy liquor for them. If those who are  
doing this know that they will be sent to  
jail if caught, they are far less likely to  
take the risk.

Impact on the public: If this proposal  
makes it more difficult for under age  
drinkers to drink, the public benefit will  
be huge.

Impact on the department and other agencies:  
The impact on the department will be  
minimal, but the impact on other law  
enforcement agencies will be very positive  
if potential under age drinkers are deterred  
from drinking before the age of twenty-one.

GENERAL FUND: None.

OTHER FUNDS: None.

PPBS PROGRAM  
DESIGNATION: None.

OTHER AFFECTED  
AGENCIES: County police and prosecutors

EFFECTIVE DATE: Upon approval.