

JAN 25 2006

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."

S.B. NO. 2267

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 Statutory material to be repealed is bracketed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: 

BY REQUEST

SB. NO. 2267

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.