



## **Public Act 06-112 and Underage Drinking: Social Host & Minors in Possession**

*On October 1, 2006 a new law hit the books to toughen up CT's stance on Underage Drinking. This law simply makes it illegal for minors to possess alcohol **ANYWHERE**, whether it's on public or private property. It also makes it clear that adults cannot continue to allow this behavior to take place and empowers them to halt such activity if they see it happening on their own property.*

### **Why did we need this law?**

Prior to this bill being enacted, it was illegal for youth under 21 to possess alcohol ONLY on any street, highway, or place open to the public. Since underage youth often drink at house parties on private property, however, the new law makes it illegal for youth to possess alcohol on private property as well. The social host law sends a consistent message that underage drinking will not be tolerated, and that both youth and adults will be held accountable for their role in allowing underage drinking to occur. It also provides immediate reasonable consequences to the violators before a tragedy occurs.

### **Are the police going to bust down my door?**

The new law does not give the police the right to violate your constitutional rights. Police are already called to many youth parties for other complaints (parking, noise, assaults, etc.). The new law empowers them to address the real problem, which often is underage drinking.

### **What are the penalties?**

- First offense for social hosting: An infraction resulting in a fine of \$146
- Subsequent offenses for social hosting: A misdemeanor (a fine of no more than \$500, or no more than 1 year in prison, or both)
- First offense for minor possessing alcohol ANYWHERE: An infraction resulting in a fine of \$136
- Subsequent offenses for minor possessing alcohol ANYWHERE: A fine of up to \$500

### **Is the law trying to tell me what to do with my own kids?**

Current law permits parents, legal guardians, or spouses over the age of 21 to provide alcohol to their own child or spouse; the new law will not change that. There is also an exemption for anyone observing religious services.



**House Bill No. 5211**

**Public Act No. 06-112**

**AN ACT CONCERNING UNDERAGE DRINKING.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. (NEW) (*Effective October 1, 2006*) (a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall (1) knowingly permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 of the general statutes, as amended by this act, in such dwelling unit or on such private property, or (2) knowing that any minor possesses alcoholic liquor in violation of subsection (b) of section 30-89 of the general statutes, as amended by this act, in such dwelling unit or on such private property, fail to make reasonable efforts to halt such possession. For the purposes of this subsection, "minor" means a person under twenty-one years of age.

(b) Any person who violates the provisions of subsection (a) of this section shall, for a first offense, have committed an infraction and, for any subsequent offense, be fined not more than five hundred dollars or imprisoned not more than one year, or both.

Sec. 2. Subsection (b) of section 30-89 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2006*):

(b) Any minor who possesses any alcoholic liquor [**on any street or highway or in any public place or place open to the public, including any club which is open to the public, shall be fined not less than two hundred nor more than five hundred dollars**] on public or private property shall, for a first offense, have committed an infraction and, for any subsequent offense, be fined not less than two hundred dollars or more than five hundred dollars. The provisions of this subsection shall not apply to (1) a person over age eighteen who is an employee or permit holder under section 30-90a and who possesses alcoholic liquor in the course of **[his] such person's** employment or business, (2) a minor who possesses alcoholic liquor on the order of a practicing physician, or (3) a minor who possesses alcoholic liquor while accompanied by a parent, guardian or spouse of the minor, who has attained the age of twenty-one. Nothing in this subsection shall be construed to burden a person's exercise of religion under section 3 of article first of the Constitution of the state in violation of subsection (a) of section 52-571b.

Connecticut Statutes

## CHAPTER 545\*

# LIQUOR CONTROL ACT

**Sec. 30-89a. Permitting minor to illegally possess liquor in dwelling unit or on private property or failing to halt such illegal possession. Penalty.** (a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall (1) knowingly permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property, or (2) knowing that any minor possesses alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property, fail to make reasonable efforts to halt such possession. For the purposes of this subsection, "minor" means a person under twenty-one years of age.

(b) Any person who violates the provisions of subsection (a) of this section shall, for a first offense, have committed an infraction and, for any subsequent offense, be fined not more than five hundred dollars or imprisoned not more than one year, or both.

(P.A. 06-112, S. 1.)



**Substitute House Bill No. 5360**

**Public Act No. 12-199**

**AN ACT PROHIBITING CERTAIN PERSONS FROM ALLOWING MINORS TO POSSESS ALCOHOLIC LIQUOR IN DWELLING UNITS AND ON PRIVATE PROPERTY.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

Section 1. Section 30-89a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2012*):

(a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall (1) knowingly, recklessly, or with criminal negligence, permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property, or (2) [**knowing that any minor possesses alcoholic liquor in violation of subsection (b) of section 30-89 in such dwelling unit or on such private property,**] fail to make reasonable efforts to halt such possession. For the purposes of this subsection, "minor" means a person under twenty-one years of age.

(b) Any person who violates the provisions of subsection (a) of this section shall [**for a first offense, have committed an infraction and, for any subsequent offense, be fined not more than five hundred dollars or imprisoned not more than one year, or both**] be guilty of a class A misdemeanor.

Approved June 15, 2012