

2011 -- S 0246

LC00405

STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO ALCOHOLIC BEVERAGES -- REGULATION OF SALES

Introduced By: Senators Sosnowski, Felag, Algiere, and Tassoni

Date Introduced: February 09, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-8-11.1 of the General Laws in Chapter 3-8 entitled "Regulation of
2 Sales" is hereby amended to read as follows:

3 **3-8-11.1. Furnishing or procurement of alcoholic beverages for underage persons. --**

4 (a) As used in this section: (1) "furnish" means to provide with, supply, give or purchase; (2)
5 "procure" means to get possession of, obtain by particular care and effort; and (3) "permit" means
6 to give permission for, or approval of, the possession or consumption of an alcoholic beverage by
7 any form of conduct, that would cause a reasonable person to believe that permission or approval
8 has been given.

9 (b) Except as otherwise provided in subsection (d) of this section it is unlawful for any
10 person twenty-one (21) years of age or older:

11 (1) to purchase from any licensee or any employee of a licensee any alcoholic beverage
12 for the sale, delivery, service of or giving away to, any person who has not reached his or her
13 twenty-first (21st) birthday;

14 (2) to purchase from any licensee or any employee of any licensee any alcoholic
15 beverage with the intent to cause or permit said alcoholic beverage to be sold, or given to any
16 person who has not reached his or her twenty-first (21st) birthday;

17 (3) to knowingly furnish any alcoholic beverage for the sale, delivery, service of or
18 giving to any person who has not reached his or her twenty-first (21st) birthday;

19 (4) to procure alcoholic beverages for the sale, delivery, service of or giving to any

1 person who has not reached his or her twenty-first (21st) birthday; or

2 (5) to otherwise permit the consumption of alcohol by underaged persons in his or her
3 residence or on his or her real property.

4 (c) Any person, between the ages of eighteen (18) and twenty-one (21) years of age, who
5 violates subsection (b) herein, may, upon conviction, be subject to a civil penalty of not more
6 than five hundred dollars (\$500). In addition, any person convicted may be ~~required to attend an~~
7 ~~educational program approved by the department of health designed to recognize the dangers of~~
8 ~~underaged drinking, and may be~~ subject to up to thirty (30) hours of community service.

9 (d) This section does not apply to use, consumption or possession of alcoholic beverages
10 by a minor for religious purposes; or to a parent or legal guardian procuring or furnishing alcohol
11 to, or permitting the consumption of alcohol by, his or her minor child or ward except in any
12 establishment licensed to sell or serve alcoholic beverages.

13 (e) Any person who violates this section will be subject to the penalties provided in
14 section 3-8-11.2.

15 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would alter the penalties for persons who are under twenty-one (21) years and
2 who are convicted of procuring alcohol for underage persons. This act would also limit the
3 exemption for parents and guardians procuring alcohol for a minor child or ward when in an
4 establishment licensed to sell or serve alcoholic beverages.

5 This act would take effect upon passage.

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