



MISSOURI SENATE

JEFFERSON CITY

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**A Weekly Column for the
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Act Targets Underage Drinking

JEFFERSON CITY – This week Governor Blunt signed important legislation designed to curb underage drinking in Missouri. In order to make a dent in underage drinking in this state, it must be a comprehensive effort involving homes, schools, peers, young people, law enforcement, prosecutors and the courts. Senate Bill 402, signed into law this week, lays the foundation for that comprehensive effort.

The act creates the new offense of “minor in possession by consumption.” Under current law, anyone under the age of 21 who purchases, attempts to purchase, or has in his or her possession any intoxicating liquor is guilty of a misdemeanor. The new law adds the provision that a minor is also guilty of a misdemeanor if he or she is visibly intoxicated or has a detectable blood alcohol content of .02. The legal limit for *adults* who consume alcohol is .08. In addition, anyone older than 15 but younger than 21 who pleads guilty or is convicted of being a “minor in possession” will lose their driving privileges for 30 days for the first offense and 90 days for the second offense. A third offense will result in a driver’s license revocation for one year.

The new law also cracks down on the fake IDs sometimes used by minors to purchase alcohol. SB 402 provides that any person who obtains, transfers, or uses any means of identification for the purpose of making and providing or selling a false identification to a minor in order to buy alcohol is guilty of a Class A misdemeanor.

This new law also tackles the problem of open house parties by making the homeowner responsible for the illegal activities of young people. Current law states anyone other than a parent or guardian who provides, sells or gives away alcohol to a minor is guilty of a

misdemeanor. The new law adds a provision which prohibits homeowners, other than parents or guardians, from knowingly allowing a minor to drink on their property or from failing to stop a minor from drinking on their property. Violators face a Class B misdemeanor.

Finally, SB 402 requires every school district in the state to develop a policy by June 30 of 2006 outlining the consequences for students found to be in possession of alcohol or caught drinking on school property, or while representing the school at extracurricular activities.

Unfortunately, we can not eliminate underage drinking in Missouri. But Senate Bill 402 will help reduce underage drinking in the state and make it easier for young people to refrain from this dangerous, illegal activity.

If you have questions or comments about this or any other issue, please feel free to contact me at 573-751-8793 or by e-mail at: delbertscott@senate.state.mo.us

Senator Delbert Scott represents the people of Barton, Benton, Cedar, Dallas, Henry, Hickory, Pettis, Polk and St. Clair counties in the Missouri Senate.