

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE BILL 991

Short Title: Ban Underage Drinking.

(Public)

Sponsors: Representative Starnes.

Referred to: Judiciary IV.

March 30, 2005

1 A BILL TO BE ENTITLED
2 AN ACT TO DECREASE HEALTH AND ADDICTION PROBLEMS ASSOCIATED
3 WITH UNDERAGE USE AND CONSUMPTION OF ALCOHOLIC
4 BEVERAGES.

5 Whereas, alcohol use continues to be a major health concern among youth in
6 the State; and

7 Whereas, future costs of health care, such as Medicare and Medicaid, would
8 be significantly reduced if youth did not take up using or consuming alcohol; Now,
9 therefore,

10 The General Assembly of North Carolina enacts:

11 **SECTION 1.** G.S.18B-302(b) reads as rewritten:

12 "(b) Purchase or Possession. – It shall be unlawful for:

13 (1) A person less than 21 years old to purchase, ~~to attempt to purchase, or~~
14 ~~to possess~~ possess, or consume malt beverages or unfortified wine; or

15 (2) A person less than 21 years old to purchase, ~~to attempt to purchase, or~~
16 ~~to possess~~ possess, or consume fortified wine, spirituous liquor, or
17 mixed beverages."

18 **SECTION 2.** G.S. 18B-302(g) reads as rewritten:

19 "(g) Conviction Report Sent to Division of Motor Vehicles. – The court shall file a
20 conviction report with the Division of Motor Vehicles indicating the name of the person
21 convicted and any other information requested by the Division if the person is convicted
22 of:

23 (1) A violation of subsection (e) or (f) of this section; or

24 (2) A violation of subdivision (c)(1) of this section; or

25 (3) A violation of subsection (b) of this section, ~~if the violation occurred~~
26 ~~while the person was purchasing or attempting to purchase an~~
27 ~~alcoholic beverage.~~ section.

28 Upon receipt of a conviction report, the Division shall revoke the person's license as
29 required by G.S. 20-17.3."

1 **SECTION 3.** G.S. 18B-302(i) is repealed.

2 **SECTION 4.** G.S. 18B-302 is amended by adding a new subsection to read:

3 "(j) A violation of consuming an alcoholic beverage under subsection (b) of this
4 section is a Class 1 misdemeanor and shall be punished by a fine of two hundred fifty
5 dollars (\$250.00) dollars in addition to the license revocation required under subsection
6 (g) of this section. This penalty is in addition to any other punishment prescribed for a
7 Class 1 misdemeanor by law."

8 **SECTION 5.** G.S. 20-17.3 reads as rewritten:

9 "**§ 20-17.3. Revocation for underage purchasers of alcohol.**

10 The Division shall revoke for one year the driver's license of any person who has
11 been convicted of violating any of the following:

12 (1) G.S. 18B-302(c)(1), (e), or (f); or

13 (2) ~~G.S. 18B-302(b), if the violation occurred while the person was~~
14 ~~purchasing or attempting to purchase an alcoholic beverage.~~
15 18B-302(b).

16 If the person's license is currently suspended or revoked, then the revocation under this
17 section shall begin at the termination of that revocation."

18 **SECTION 6.** This act becomes effective December 1, 2005, and applies to
19 offenses committed on or after that date.