

February 17, 1999

**S 120. UP SOME UNDERAGE SALES PENALTIES. TO INCREASE THE PENALTIES**

*RELATED TO UNDERAGE DRINKING.* Adds new GS 18B-302A to provide penalties for some sales of alcohol to underage persons as follows: (1) sale is made in violation of GS 18B-302(a) is a Class 1 misdemeanor, and if made by person other than ABC permittee, punishment for first offense is a minimum fine of \$1000 and minimum of 150 hours of community service; for second or subsequent offense the maximum fine permitted by law and minimum of 30 days imprisonment; and, (2) for persons over 21 who aid and abet an underage person in making illegal purchase of alcohol, the same classification and punishment as described in (1) above is applicable. Directs that fines collected under new section must be used by school board for alcohol prevention use programs. Effective Dec. 1, 1999.

**Intro. by Allran.**

Ref. to Judiciary I

GS 18B

April 28, 1999

**S 120. UP SOME UNDERAGE SALES PENALTIES.** Intro. 2/17/1999. Senate committee substitute substantially revises 1st edition.

Repeals GS 18B-302(i), which now makes underage purchase or possession of malt beverages or unfortified wine only an infraction (not a crime) if offender is 19 or 20 years of age; result is that such offenses would become Class 1 misdemeanors subject to other provisions of bill.

Alters proposed GS 18B-302A to make violation of GS 18B-302(a) (selling or giving wine, malt beverages, spirituous liquor, or mixed beverage to person under age 21) a Class 1 misdemeanor. If court does not impose active punishment, must include as condition of probation a fine of at least \$250 plus at least 25 hours of community service. If offender has previous conviction of same offense during previous four years, and court does not impose active punishment, court must impose at least \$500 fine and 150 hours of service.

Makes violation of GS 18B-302(c)(2) (aiding or abetting, by person over lawful drinking age, another person to sell or give alcoholic beverages to underage person, or an underage person to purchase or possess alcoholic beverages) a Class 1 misdemeanor. If active punishment not imposed, requires minimum fine (at least \$1000 if previous conviction of same offense within previous four years and \$500 otherwise) and community service (at least 150 hours if previous conviction and 25 hours otherwise).

April 29, 1999

**S 120. UP SOME UNDERAGE SALES PENALTIES.** Intro. 2/16/99. Senate amendment makes the following changes to 1st edition. Makes technical changes only.

June 29, 1999

**S 120. UP SOME UNDERAGE SALES PENALTIES.** Intro. 2/16/99. House committee substitute makes the following changes to 3rd edition. Deletes paragraph repealing GS 18B-302(i). Deletes proposed amendment to GS 15A-146(a) providing that a person charged with a crime prior to December 1, 1999 could apply to the court for expungement of his or her record.