

RÉSUMÉ DIGEST

ACT 354 (HB 182)

2016 Regular Session

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Existing law prohibits the "public possession" of any alcoholic beverage by persons under 21 years of age and defines "public possession" as the possession of any alcoholic beverage for any reason including consumption, on any street, highway, or waterway or in any public place or any place open to the public, including a club which is de facto open to the public.

Prior law provided penalties of a fine of not more than \$100, or imprisonment for not more than six months, or both.

New law removes the possibility of jail time from the penalty provision but retains the existing law fine of not more than \$100.

Existing law provides that any person apprehended for violating existing law shall be issued a citation by the apprehending law enforcement officer, which shall be paid in the same manner as provided for the offenders of local traffic violations.

New law retains existing law and provides that a citation issued by a law enforcement officer for a violation of the offense of underage possession of an alcoholic beverage shall not be included on the person's criminal history record.

Effective August 1, 2016.

(Amends R.S. 14:93.12(B)(1) and (2))