
DIGEST

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HB 343 Reengrossed

2015 Regular Session

Hazel

Abstract: Defines "private residence" for purposes of the exception to the prohibition on public possession of alcohol by persons under the age of twenty-one.

Present law (R.S. 14:93.12) prohibits the "public possession" of any alcoholic beverage by any person under 21 years of age.

Present law (R.S. 14:93.10) 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. However, present law provides that "public possession" does not include the possession or consumption of any alcoholic beverage:

- (1) For an established religious purpose.
- (2) When a person under 21 years of age is accompanied by a parent, spouse, or legal guardian 21 years of age or older.
- (3) For medical purposes when purchased as an over the counter medication, or when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital, or medical institution.
- (4) In private residences.

Proposed law provides that for these purposes a "private residence" includes a residential dwelling and up to 20 contiguous acres, on which the dwelling is located, owned by the same person who owns the dwelling.

(Amends R.S. 14:93.10(2)(a)(iv))

Summary of Amendments Adopted by House

The Committee Amendments Proposed by House Committee on Administration of Criminal Justice to the original bill:

1. Remove proposed law provision which provided that possession in a private residence is only excluded from the definition of "public possession" if the person under 21 is

accompanied by a parent, guardian, or spouse.

2. Provide that "private residence" includes a residential dwelling and up to 20 contiguous acres, on which the dwelling is located, owned by the same person who owns the dwelling.