
DIGEST

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HB 182 Original

2016 Regular Session

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Abstract: Removes the possibility of jail time for possession of alcoholic beverages by persons under 21 years of age, and provides that 17-year olds shall be subject to delinquency proceedings for alcohol possession violations.

Present 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.

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

Proposed law removes the possibility of jail time from the penalty provision and otherwise retains present law.

Present law provides that any person apprehended violating present 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.

Present law, generally, provides that persons under the age of 17 who commit delinquent acts are subject to juvenile court, and persons from ages 17 and up are subject to adult criminal court. Proposed law retains present law except it moves 17-year olds to juvenile court for the purposes of this crime.

(Amends R.S. 14:93.12(B)(1) and (3); Adds R.S. 14:93.12(B)(4))