

# MAINE STATE LEGISLATURE

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# 120th MAINE LEGISLATURE

## FIRST REGULAR SESSION-2001

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Legislative Document

No. 51

H.P. 42

House of Representatives, January 9, 2001

**An Act to Increase the Penalty for Furnishing Liquor to a Minor if Injury  
or Death Results.**

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Reference to the Committee on Legal and Veterans Affairs suggested and ordered printed.

*Millicent M. MacFarland*

MILLICENT M. MacFARLAND, Clerk

Presented by Representative LaVERDIERE of Wilton.

Cosponsored by Representatives: ETNIER of Harpswell, KANE of Saco, LEMOINE of Old Orchard Beach, McDONOUGH of Portland, O'NEIL of Saco, QUINT of Portland, Senators: McALEVEY of York, RAND of Cumberland.

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**Be it enacted by the People of the State of Maine as follows:**

**Sec. 1. 28-A MRSA §2081, sub-§3,** as amended by PL 1993, c. 266, §31, is further amended to read:

**3. Penalties.** Any Except as provided in subsection 5, any person who violates subsection 1, paragraph A or B commits a Class D crime. Any person who violates subsection 1, paragraph C or D commits a Class E crime, for which a forfeiture of not more than \$500 may be adjudged. In the case of a person who has one previous conviction of a violation of subsection 1, paragraph A or B within a 6-year period, the fine may not be less than \$500, which penalty may not be suspended. In the case of a person who has 2 or more previous convictions of a violation of subsection 1, paragraph A or B within a 6-year period, the fine may not be less than \$1,000. In the case of a person who has no previous conviction of subsection 1, paragraph A or B within a 6-year period, the fine may not be less than \$500, which penalty may not be suspended if that person is convicted of a violation of subsection 1, paragraph A or B involving a minor less than 14 years old.

**Sec. 2. 28-A MRSA §2081, sub-§5** is enacted to read:

**5. Aggravated offense.** A person who violates subsection 1, paragraph A or B commits a Class C crime if the consumption of the liquor by the minor proximately causes bodily injury to or death of any individual, including the minor. For purposes of this subsection, "bodily injury" has the same meaning as set out in Title 17-A, section 2, subsection 5.

**SUMMARY**

Current law classifies furnishing or allowing consumption of liquor by a minor as a Class D crime. This bill increases the classification to a Class C crime if the consumption of the furnished liquor by the minor proximately causes death of or bodily injury to the minor or any other individual.