

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2005

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HOUSE DRH70154-MA-24 (2/24)

Short Title: Ban Underage Drinking.

(Public)

Sponsors: Representative Starnes.

Referred to:

A BILL TO BE ENTITLED

AN ACT TO DECREASE HEALTH AND ADDICTION PROBLEMS ASSOCIATED
WITH UNDERAGE USE AND CONSUMPTION OF ALCOHOLIC
BEVERAGES.

Whereas, alcohol use continues to be a major health concern among youth in
the State; and

Whereas, future costs of health care, such as Medicare and Medicaid, would
be significantly reduced if youth did not take up using or consuming alcohol; Now,
therefore,

The General Assembly of North Carolina enacts:

SECTION 1. G.S.18B-302(b) reads as rewritten:

"(b) Purchase or Possession. – It shall be unlawful for:

- (1) A person less than 21 years old to purchase, ~~to attempt to purchase, or~~
~~to possess~~ possess, or consume malt beverages or unfortified wine; or
- (2) A person less than 21 years old to purchase, ~~to attempt to purchase, or~~
~~to possess~~ possess, or consume fortified wine, spirituous liquor, or
mixed beverages."

SECTION 2. G.S. 18B-302(g) reads as rewritten:

"(g) Conviction Report Sent to Division of Motor Vehicles. – The court shall file a
conviction report with the Division of Motor Vehicles indicating the name of the person
convicted and any other information requested by the Division if the person is convicted
of:

- (1) A violation of subsection (e) or (f) of this section; or
- (2) A violation of subdivision (c)(1) of this section; or
- (3) A violation of subsection (b) of this section, ~~if the violation occurred~~
~~while the person was purchasing or attempting to purchase an~~
~~alcoholic beverage.~~section.

1 Upon receipt of a conviction report, the Division shall revoke the person's license as
2 required by G.S. 20-17.3."

3 **SECTION 3.** G.S. 18B-302(i) is repealed.

4 **SECTION 4.** G.S. 18B-302 is amended by adding a new subsection to read:

5 "(j) A violation of consuming an alcoholic beverage under subsection (b) of this
6 section is a Class 1 misdemeanor and shall be punished by a fine of two hundred fifty
7 dollars (\$250.00) dollars in addition to the license revocation required under subsection
8 (g) of this section. This penalty is in addition to any other punishment prescribed for a
9 Class 1 misdemeanor by law."

10 **SECTION 5.** G.S. 20-17.3 reads as rewritten:

11 "**§ 20-17.3. Revocation for underage purchasers of alcohol.**

12 The Division shall revoke for one year the driver's license of any person who has
13 been convicted of violating any of the following:

14 (1) G.S. 18B-302(c)(1), (e), or (f); or

15 (2) ~~G.S. 18B-302(b), if the violation occurred while the person was~~
16 ~~purchasing or attempting to purchase an alcoholic beverage.~~
17 18B-302(b).

18 If the person's license is currently suspended or revoked, then the revocation under this
19 section shall begin at the termination of that revocation."

20 **SECTION 6.** This act becomes effective December 1, 2005, and applies to
21 offenses committed on or after that date.