

Senate Judiciary Committee

Jennifer Horgan 271-3092

HB 228, relative to transportation of alcoholic beverages by a minor.

Hearing Date: April 4, 2017

Time Opened: 10:19 a.m.

Time Closed: 10:28 a.m.

Members of the Committee Present: Senators Carson, Lasky, French, Gannon and Hennessey

Members of the Committee Absent : None

Bill Analysis : This bill allows minors to transport alcoholic beverages in a vehicle or boat when accompanied by certain family members.

Sponsors :

Rep. R. Smith

Sen. French

Who supports the bill: Representative Smith; Representative Hill; Representative Murray; Ian Freeman (NH Liberty Party); Darryl W Perry (Liberty Lobby LLC); Will Anderson

Who opposes the bill: Elizabeth Sargent (NH Association of Chiefs of Police); Kate Frey (New Futures)

Summary of testimony presented in support :

Representative Hill

- This is a fairly simple bill.
- Shared a story of a sister who is a minor and a brother who is over 21. The brother asked his sister to drive him to the liquor store. After leaving the liquor store they were pulled over and arrested for transporting alcohol while under the age of 21. The young woman had to get a lawyer and go to court, where they finally got it thrown out.
- It seems odd that depending on where individuals sit in a car affects this so much.
- Shared the personal story of asking his son to drive his grandmother, who is 93, to a party. The grandmother brought a bottle of wine and if they had been pulled over, his son could have been arrested.
- The original bill did not have 'age 25' in the language, which was a compromise in the House.
- Would prefer to drop the 'age 25' requirement and simply have it be 21 years old or older.
- Senator Lasky asked why it has to be a relative.
 - In the first draft of the bill there were some concerns from the Chiefs of Police, but would prefer that it was anyone of legal age.

Representative Smith

- Is 20 years old and could be in this situation.

Ian Freeman (NH Liberty Lobby)

- Supports this and would support widening it.

- Why continue this charade that people under the age of 21 are going to be deterred by enforcement efforts from drinking under 21?
- When things are prohibited that tends to generate more irresponsibility and hiding of actions.
- In college towns, police are enforcing drinking laws and this only drives revenue to the court system.
- Those under 21 are not going to stop drinking; they are simply going to hide it better after being confronted by law enforcement.
- Thinks the drinking age should be lowered to at least 18

Summary of testimony presented in opposition :

None

Future Action: Pending

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Date Hearing Report completed: April 7, 2017