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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2011

A N A C T

RELATING TO ALCOHOLIC BEVERAGES - REGULATION OF SALES

Introduced By: Senator Maryellen Goodwin

Date Introduced: March 10, 2011

Referred To: Senate Judiciary

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-8-10 of the General Laws in Chapter 3-8 entitled "Regulation of
2 Sales" is hereby amended to read as follows:
3 **3-8-10. Possession of beverage by underage persons.** – When a law enforcement
4 officer has reason to believe that a person that has not reached his or her twenty-first (21st)
5 birthday is under the influence of alcohol, the law enforcement officer may require the person to
6 submit to a preliminary breath analysis for the purpose of determining the person's blood alcohol
7 content. The breath analysis must be administered immediately upon the law enforcement
8 officer's formulation of a reasonable belief that the person is under the influence of alcohol and
9 ~~Any~~ any person who has not reached his or her twenty-first (21st) birthday and has in his or her
10 possession or on his or her breath the measurable odor or presence of any beverage as defined in
11 this title shall be fined one hundred fifty dollars (\$150) to seven hundred fifty dollars (\$750) for
12 the first offense, three hundred dollars (\$300) to seven hundred fifty dollars (\$750) for the second
13 offense, and four hundred fifty dollars (\$450) to nine hundred fifty dollars (\$950) for the third or
14 subsequent offense. In addition, any person who violates this section shall be required to perform
15 thirty (30) hours of community service and shall be subject to a minimum sixty (60) day
16 suspension of his or her driver's license, and upon a second offense may be ordered to undergo a
17 substance abuse assessment by a licensed substance abuse professional.

1 SECTION 2. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
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1 This act would provide that if a law enforcement officer reasonably believes that an
2 underage individual is under the influence of alcohol, the officer shall require an immediate
3 preliminary breath analysis to determine the individual's blood alcohol content.

4 This act would take effect upon passage.

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