



H.B. 312

127th General Assembly
(As Reported by H. Criminal Justice)

Reps. Bacon, Evans, Setzer, Goodwin, Lundy, Combs, Flowers, Harwood, Batchelder, Domenick, Boyd, Latta, Fende, Schindel, Okey, B. Williams, Carmichael, Ujvagi, Stebelton, Core

BILL SUMMARY

- In addition to existing penalties, allows the court to suspend for not more than 180 days the driver's license, commercial driver's license, temporary instruction permit, or nonresident operating privilege of an offender who violates R.C. 4301.69(A) by buying beer or intoxicating liquor for an underage person or furnishing beer or intoxicating liquor to an underage person.
- Provides that the potential license suspension described in the previous dot point does not apply to a permit holder, an employee or agent of a permit holder, or a volunteer serving a permit holder for charitable purposes if the person violates R.C. 4301.69(A) by buying beer or intoxicating liquor for an underage person or furnishing beer or intoxicating liquor for an underage person in the course of employment or volunteer service for the permit holder.

CONTENT AND OPERATION

Permissible license suspension for an offender who buys beer or intoxicating liquor for or furnishes beer or intoxicating liquor to an underage person

Continuing law, generally, prohibits a person from (1) selling beer or intoxicating liquor to an underage person, (2) buying beer or intoxicating liquor for an underage person, or (3) furnishing beer or intoxicating liquor to an underage person, unless given by a physician in the regular line of the physician's practice or given for established religious purposes or unless the underage person is supervised by a parent, spouse who is not an underage person, or legal guardian. A violation of this prohibition is a misdemeanor, and the offender must be fined not less than \$500 and not more than \$1,000, and, in addition to the fine, the

offender may be imprisoned for a definite term of not more than six months. (R.C. 4301.69(A), not in the bill, and 4301.99(I).)

The bill, additionally, allows the court to suspend for not more than 180 days the driver's license, commercial driver's license, temporary instruction permit, or nonresident operating privilege of an offender who violates R.C. 4301.69(A) by buying beer or intoxicating liquor for an underage person or furnishing beer or intoxicating liquor to an underage person. This potential license suspension does not apply to a permit holder, an employee or agent of a permit holder, or a volunteer serving a permit holder for charitable purposes if the person violates R.C. 4301.69(A) by buying beer or intoxicating liquor for an underage person or furnishing beer or intoxicating liquor for an underage person in the course of employment or volunteer service for the permit holder. (R.C. 4301.99(I).)

A court that imposes the license suspension authorized by the bill may grant the offender limited driving privileges as permitted by R.C. 4510.021. Under R.C. 4510.021, a court may grant limited driving privileges for occupational, educational, vocational, or medical purposes, to take a driver's or commercial driver's license exam, or to attend court-ordered treatment. The court must specify the purposes, times, and places of the privileges and may impose other reasonable driving restrictions. (R.C. 4301.99(I) and 4510.021(A), not in the bill.)

The bill also relocates the penalty for existing R.C. 4301.691(H) from 4301.99(I) to 4301.99(J).

HISTORY

ACTION	DATE
Introduced	09-11-07
Reported, H. Criminal Justice	04-14-08

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