

## HOUSE BILL NO. HB0035

Minors in possession of alcohol.

Sponsored by: Representative(s) Gingery, Hammons,  
Harshman, Harvey, Slater, Warren and White  
and Senator(s) Mockler and Ross

A BILL

for

1 AN ACT relating to alcoholic and malt beverages; amending  
2 offenses relating to minor in possession of alcoholic and  
3 malt beverages; providing that a minor who consumes any  
4 alcoholic or malt beverage is guilty of a misdemeanor;  
5 repealing, amending and renumbering exceptions to minors in  
6 possession of alcoholic or malt beverages; and providing  
7 for an effective date.

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9 *Be It Enacted by the Legislature of the State of Wyoming:*

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11 **Section 1.** W.S. 12-6-101(b)(intro) and by creating a  
12 new subsection (f) is amended to read:

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14 **12-6-101. Sale or possession prohibited; when**  
15 **possession unlawful; public drunkenness; falsification of**

1 **identification; penalty; prima facie identification as**  
2 **defense.**

3  
4 (b) Any person under the age of twenty-one (21) years  
5 who has any alcoholic or malt beverage in his possession or  
6 who ~~is drunk or under the influence of~~ has consumed within  
7 the previous twelve (12) hours any alcoholic ~~liquor, or~~  
8 malt ~~beverages or a controlled substance on any street or~~  
9 ~~highway or in any public place~~ beverage is guilty of a  
10 misdemeanor. ~~This subsection does not apply to possession~~  
11 ~~of alcoholic or malt beverages by a person under the age of~~  
12 ~~twenty one (21) years.~~

13  
14 (f) The provisions of subsection (b) of this section  
15 shall not apply to possession of alcoholic or malt  
16 beverages by a person under the age of twenty-one (21)  
17 years:

18  
19 (i) When making a delivery of alcoholic or malt  
20 beverages pursuant to his employment;

21  
22 (ii) Who is in the physical presence of his  
23 parent or legal guardian;

1 (iii) Who is a licensee under this title; or

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3                   (iv) When serving alcoholic or malt beverages  
4   pursuant to his employment in a restaurant which holds a  
5   license to serve alcoholic or malt beverages, if the person  
6   is at least eighteen (18) years of age.

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8           **Section 2.** W.S. 12-6-101(b)(i), (ii), (iv) and (v) is  
9 repealed.

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11           **Section 3.** This act is effective July 1, 2007.

12

13 (END)