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MINORS: INCREASE PENALTIES FOR ALCOHOL-RELATED CRIMES

House Bill 6170
Sponsor: Rep. Judith Scranton
Committee: Criminal Justice

Complete to 11-4-02

A SUMMARY OF HOUSE BILL 6170 AS INTRODUCED 6-5-02

Currently, under the portion of the Liquor Control Code (MCL 436.1703) that regulates the purchase, consumption, or possession of alcoholic by minors, violations are subject to fines and the possibility of being ordered to participate in a substance abuse prevention or treatment program, perform community service, and/or undergo substance abuse screening and assessment. Subsequent convictions or juvenile adjudications are subject to increasing penalties. House Bill 6170 would increase the penalties, require that participation in a substance abuse prevention or treatment program be mandatory, and allow for the possibility of community service, as follows:

- Currently, a first violation is a misdemeanor, subject to a fine of no more than \$100, and the possibility of being ordered to participate in a substance abuse prevention or treatment program, perform community service, and/or undergo substance abuse screening and assessment. Under the bill, the maximum fine would be increased to \$200. In addition, substance abuse screening and assessment, as defined under the act, would be mandatory, at the individual's expense. The court would also be required to order the individual to perform not more than 40 hours of community service, and to participate in a court-approved alcohol awareness program, if one was available in that community.

- Currently, for a second violation following a prior conviction or adjudication, the penalty is increased to a fine of not more than \$200, along with the other possible penalties. The bill would increase the maximum fine to \$400; require that the court order the individual to undergo substance abuse screening and assessment at his or her own expense; and also require that the individual be ordered to perform not more than 60 hours of community service and participate in a court-approved alcohol awareness program, if available in that community.

- Currently, the maximum fine is \$500 for a violation following two or more prior convictions or juvenile adjudications, along with the other possible penalties. The bill would increase the maximum fine to \$1,000; require that the court order the individual to undergo substance abuse screening and assessment at his or her own expense; and also require that the individual be ordered to perform not more than 100 hours of community service and participate in a court-approved alcohol awareness program, if available in that community.

Fraudulent I.D. Currently, a person who furnishes fraudulent identification to a minor, or a minor who uses fraudulent identification to purchase alcoholic liquor, is guilty of a misdemeanor, punishable by up to 93 days imprisonment, a maximum fine of no more than \$100, or both. The bill would increase the maximum fine to \$200, and would require, in addition, that the court order a minor convicted of using false identification to purchase alcoholic liquor to undergo substance abuse treatment screening and assessment at his or her own expense,

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perform up to 20 hours of community service, and participate in a court-approved alcohol awareness program. Further, the court could also order the minor to participate in substance abuse prevention or substance abuse treatment and rehabilitation services, as defined in the Public Health Code (MCL 333.6107), and as designated by the Administrator of Substance Abuse Services.

Analyst: R. Young

■ This analysis was prepared by nonpartisan House staff for use by House members in their deliberations, and does not constitute an official statement of legislative intent.