



Jeff Grim

Bill Analysis

Legislative Service Commission

S.B. 200

125th General Assembly
(As Introduced)

Sen. Wachtmann

BILL SUMMARY

- Allows a person who is 15 years old or older to sell or serve beer or intoxicating liquor in a permit premises that is a business owned or operated by that person's parent, grandparent, aunt, or uncle.

CONTENT AND OPERATION

Current law specifies that sales of beer and intoxicating liquor under all classes of permits and from state liquor stores are subject to certain restrictions in addition to those imposed by the rules or orders of the Division of Liquor Control in the Department of Commerce. One of those restrictions is that no intoxicating liquor can be handled by any person who is younger than 21 years old.

However, existing law provides three exceptions to this restriction. First, a person who is 18 years old or older and is employed by a permit holder may handle or sell beer or intoxicating liquor in sealed containers in connection with wholesale or retail sales. Second, a person who is 19 years old or older and is employed by a permit holder may handle intoxicating liquor in open containers when acting in the capacity of a server in a hotel, restaurant, club, or night club or in the premises of a D-7 permit holder.¹ However, no person who is younger than 21 years old is allowed to sell intoxicating liquor across a bar. Third, a person who is employed by a permit holder and who is of any age may handle beer or intoxicating liquor in sealed containers in connection with manufacturing, storage, warehousing, placement, stocking, bagging, loading, or unloading and may handle beer and intoxicating liquor in open containers in connection with cleaning tables or handling empty bottles or glasses.

¹ A D-7 permit authorizes the holder to sell beer or intoxicating liquor at retail, only by the individual drink in glass and from the container, for consumption on a premises that is located in a resort area designated by rules of the Liquor Control Commission.

The bill modifies these provisions by allowing a person who is 15 years old or older to sell or serve beer or intoxicating liquor in open or closed containers, including selling or serving beer or intoxicating liquor across a bar, in a permit premises that is a business owned or operated by that person's parent, grandparent, aunt, or uncle.² (Sec. 4301.22(A)(3).)

HISTORY

| ACTION | DATE | JOURNAL ENTRY |
|------------|----------|---------------|
| Introduced | 02-18-03 | p. 1569 |

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² *There appears to be a technical error in the bill that refers to the restriction against selling low-alcohol beverages to a person who is under 18 years old rather than to the restriction against the handling of intoxicating liquor by a person who is under 21 years old.*