

YMCA YOUTH LEGISLATURE OF THE STATE OF MONTANA

_____ Bill Number: _____

Legislative Action:

Introduced By: LimberHand, James M.
Authored By: LimberHand, James M.

House Committee: _____

House: _____

Senate: _____

Senate Committee: _____

Delegation: Lame Deer

Governor: _____

Referred to Committee: _____

1 A BILL FOR AN ACT ENTITLED: "AN ACT TO MAKE MINOR IN POSSESSION
2 OF ALCOHOL LAWS STRICTER".
3 BE IT ENACTED BY THE MONTANA YOUTH LEGISLATURE: AN ACT
4 REVISING MINOR IN POSSESSION LAWS OF ALCOHOL TO MAKE THEM
5 STRICTER; AMENDING SECTIONS OF MCA 45-5-624"
6

7 SECTION 1: MCA 45-5-624 is amended to read:

8 "Unlawful attempt to purchase or possession of intoxicating substance –
9 interference with sentence or court order. (1) A person under 21 years of age commits the offense of
10 possession of an intoxicating substance if the person knowingly consumes or has in the person's
11 possession an intoxicating substance. A person may not be arrested for or charged with the offense solely
12 because the person was at a place where other persons were possessing or consuming alcoholic beverages.
13 A person does not commit the offense if the person consumes or gains possession of an alcoholic beverage
14 because it was lawfully supplied to the person under [16-6-305](#) or when in the course of employment it is
15 necessary to possess alcoholic beverages.

16 (2) (a) In addition to any disposition by the youth court under [41-5-1512](#), a person under 18 years of age
17 who is convicted under this section:

18 (i) for the first offense, shall be fined an amount not less than ~~\$100~~ **\$150** and not to exceed ~~\$300~~ **\$450** and:

19 A) shall be ordered to perform ~~20~~ **25** hours of community service;

20 (B) shall be ordered, and the person's parent or parents or guardian shall be ordered, to
21 complete and pay all costs of participation in a community-based substance abuse information course that
22 meets the requirements of subsection (9), if one is available; and

23 (C) if the person has a driver's license, must have the license confiscated by the court for 30 days, except as
24 provided in subsection (2)(b);

25 **(D) shall be ordered to serve a minimum of 4 days in a juvenile detention facility, and cannot be**
26 **released without parent or guardian approval.**

27 Section 2: This law will be effective December 2, 2009

28 -End-