



General Assembly

February Session, 2020

**Raised Bill No. 5503**

LCO No. 2935



Referred to Committee on JUDICIARY

Introduced by:  
(JUD)

**AN ACT CONCERNING IMMUNITY FROM CRIMINAL PROSECUTION FOR A MINOR WHO POSSESSES ALCOHOL WHEN THE MINOR SEEKS EMERGENCY ASSISTANCE TO PREVENT THE DEATH OR SERIOUS INJURY OF ANOTHER PERSON.**

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 30-89 of the general statutes is repealed and the  
2 following is substituted in lieu thereof (*Effective October 1, 2020*):

3 (a) Any person to whom the sale of alcoholic liquor is by law  
4 forbidden who purchases or attempts to purchase such liquor or who  
5 makes any false statement for the purpose of procuring such liquor shall  
6 be fined not less than two hundred or more than five hundred dollars.

7 (b) Any minor who possesses any alcoholic liquor (1) on any public  
8 street or highway, or (2) in any other public or private location, shall, for  
9 a first offense, have committed an infraction and for any subsequent  
10 offense, be fined not less than two hundred dollars or more than five  
11 hundred dollars.

12 (c) The provisions of subsection (b) of this section shall not apply to

13 (1) a person over age eighteen who is an employee or permit holder  
14 under section 30-90a and who possesses alcoholic liquor in the course of  
15 such person's employment or business, (2) a minor who possesses  
16 alcoholic liquor on the order of a practicing physician, or (3) a minor  
17 who possesses alcoholic liquor while accompanied by a parent,  
18 guardian or spouse of the minor, who has attained the age of twenty-  
19 one. Nothing in this subsection shall be construed to burden a person's  
20 exercise of religion under section 3 of article first of the Constitution of  
21 the state in violation of subsection (a) of section 52-571b.

22 (d) Notwithstanding the provisions of subsection (b) of this section, a  
23 minor who possesses alcohol shall not be criminally prosecuted for the  
24 commission of an offense of subsection (b) of this section when:

25 (1) A law enforcement officer, first became aware of the minor's  
26 violation of subsection (b) of this section after the minor placed a 9-1-1  
27 call to a law enforcement agency requesting emergency medical  
28 assistance based on the minor's reasonable belief that another individual  
29 was in need of immediate medical assistance to prevent death or serious  
30 bodily injury;

31 (2) The minor placing the 9-1-1 call was the first person to make the  
32 9-1-1 call requesting immediate medical assistance to prevent the death  
33 or serious bodily injury of another individual;

34 (3) The minor provided his or her own full name and any other  
35 relevant information requested by the law enforcement agency during  
36 the 9-1-1 call; and

37 (4) The minor remained at the scene with the individual needing  
38 immediate medical assistance until a law enforcement officer and  
39 emergency medical personnel arrived, and thereafter the minor fully  
40 cooperated with the law enforcement officer and emergency medical  
41 personnel at the scene.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2020</i>	30-89

**Statement of Purpose:**

To provide immunity from criminal prosecution for a minor who possesses alcohol when the minor seeks emergency assistance to prevent the death or serious injury of another person.

*[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]*