

GENERAL ASSEMBLY OF NORTH CAROLINA
SESSION 2001

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HOUSE BILL 1275*

Short Title: Underage Drinking Study Commission. (Public)

Sponsors: Representatives Alexander, Goodwin (Primary Sponsors); Wainwright, Barefoot, and Weiss.

Referred to: Rules, Calendar, and Operations of the House.

April 12, 2001

A BILL TO BE ENTITLED
AN ACT TO CREATE THE UNDERAGE DRINKING STUDY COMMISSION.

The General Assembly of North Carolina enacts:

SECTION 1. Commission Established. – There is established an Underage Drinking Study Commission.

SECTION 2. Membership. – The Commission shall be composed of 15 members as follows:

- (1) Four members of the House of Representatives appointed by the Speaker of the House of Representatives.
- (2) Four members of the Senate appointed by the President Pro Tempore of the Senate.
- (3) Three members appointed by the Governor, two of whom shall be representatives of the law enforcement community, and one of whom shall be a representative of the business community.
- (4) Two members of the public appointed by the Speaker of the House of Representatives, one of whom shall have expertise in juvenile alcohol and drug abuse and addiction, and one of whom shall be a representative of the primary or secondary education community.
- (5) Two members of the public appointed by the President Pro Tempore of the Senate, one of whom shall be familiar with how underage persons actually obtain alcoholic beverages, and one of whom shall be a representative of the primary or secondary education community.

SECTION 3. Secretaries of Health and Human Services and Crime Control and Public Safety. – The Commission shall invite the Secretary of Health and Human Services and the Secretary of Crime Control and Public Safety to attend each meeting of the Commission and encourage their participation in the Commission's deliberations.

1 **SECTION 4.** Duties of Commission. – The Commission shall study the
2 following matters related to alcohol consumption by persons under the age of 21:

- 3 (1) Commercial availability. – The Commission shall review the laws
4 regulating the sale and consumption by purchasers under the age of 21;
5 types and locations of commercial outlets that are likely sites for youth
6 purchases; serving and selling practices that reduce the likelihood of
7 illegal sales, including server/seller licensing, minimum age to sell or
8 serve alcohol, and minimum age to enter bars; comprehensive
9 compliance check enforcement programs; controls on price and
10 promotion of alcohol to discourage underage consumption; and
11 appropriate administrative, criminal, and civil penalties for violating
12 commercial availability statutes.
- 13 (2) Social and public availability. – The Commission shall review the
14 noncommercial sources of alcohol available to persons under the age
15 of 21, including kegs, third-party sales for underage persons, teen
16 parties, off-campus parties and public places; methods of reducing
17 noncommercial settings for youth consumption; and appropriate
18 administrative, criminal, and civil penalties for violating
19 noncommercial availability statutes.
- 20 (3) Restricting youth possession. – The Commission shall review
21 restrictions on possession of alcohol by persons under the age of 21;
22 false identification statutes; and appropriate administrative, criminal,
23 and civil penalties for youth offenders that deter underage
24 consumption behavior.
- 25 (4) Other underage alcohol consumption issues. – The Commission may
26 study any other underage drinking-related issue approved by the
27 cochairs or recommended by either the Secretary of Health and Human
28 Services or the Secretary of Crime Control and Public Safety and
29 approved by the cochairs.
- 30 (5) The Commission shall evaluate current laws related to the
31 aforementioned areas, specifically as to whether the laws address
32 high-risk settings or activities that are associated with serious harm,
33 deter unwanted behavior, and are efficiently and effectively enforced.
34 The Commission shall recommend changes to reduce the access and
35 availability of alcohol to persons under the age of 21 and to deter
36 adults from providing alcohol to underage persons.

37 **SECTION 5.** Vacancies. – Any vacancy on the Commission shall be filled
38 by the appointing authority.

39 **SECTION 6.** Cochairs. – Cochairs of the Commission shall be designated
40 by the Speaker of the House of Representatives and the President Pro Tempore of the
41 Senate from among their respective appointees. The Commission shall meet upon the
42 call of the chairs. A quorum of the Commission shall be eight members.

1 **SECTION 7.** Expenses of Members. – Members of the Commission shall
2 receive per diem, subsistence, and travel allowances in accordance with G.S. 120-3.1,
3 138-5, or 138-6, as appropriate.

4 **SECTION 8.** Staff. – Adequate staff shall be provided to the Commission by
5 the Legislative Services Office.

6 **SECTION 9.** Consultants. – The Commission may hire consultants to assist
7 with the study. Before expending any funds for a consultant, the Commission shall
8 report to the Joint Legislative Commission on Governmental Operations on the
9 consultant selected, the work products to be provided by the consultant, and the cost of
10 the contract, including an itemization of the cost components.

11 **SECTION 10.** Meetings During Legislative Session. – The Commission
12 may meet during a regular or extra session of the General Assembly, subject to approval
13 of the Speaker of the House of Representatives and the President Pro Tempore of the
14 Senate.

15 **SECTION 11.** Meeting Location. – The Commission shall meet at various
16 locations around the State in order to promote greater public participation in its
17 deliberations. The Legislative Services Commission shall grant adequate meeting space
18 to the Commission in the State Legislative Building or the Legislative Office Building.

19 **SECTION 12.** Report. – The Commission shall submit an interim report to
20 the Joint Legislative Commission on Governmental Operations on or before May 1,
21 2002. The Commission shall submit a final report to the Joint Legislative Commission
22 on Governmental Operations by December 1, 2002. Upon the filing of its final report,
23 the Commission shall terminate.

24 **SECTION 13.** This act is effective when it becomes law.