

**DRAFT ONLY
NOT APPROVED FOR
INTRODUCTION**

HOUSE BILL NO.

Providing alcohol to minors-expanded prohibitions.

Sponsored by: Select Committee on Tribal Relations

A BILL

for

1 AN ACT relating to the sale and possession of alcohol;
2 removing exceptions and expanding prohibitions against the
3 consumption and possession of alcohol by a minor; and
4 providing for an effective date.

5

6 *Be It Enacted by the Legislature of the State of Wyoming:*

7

8 **Section 1.** W.S. 12-6-101(a) and (d)(intro), (ii) and
9 (iii)(intro) is amended to read:

10

11 **12-6-101. Sale or possession prohibited; when**
12 **possession unlawful; public drunkenness; falsification of**

1 **identification; penalty; prima facie identification as**
2 **defense.**

3
4 (a) Any person who sells, furnishes, gives or causes
5 to be sold, furnished or given away any alcoholic liquor or
6 malt beverage to any person under the age of twenty-one
7 (21) years, ~~who is not his legal ward, medical patient or~~
8 ~~member of his own immediate family,~~ is guilty of a
9 misdemeanor. This subsection ~~does~~ shall not apply to sales
10 by the division or a wholesaler to a licensee under this
11 title nor shall it apply as provided by subsection (d) of
12 this section.

13
14 (d) This section shall not apply to possession of
15 alcoholic liquor or malt beverages or consumption of ethyl
16 alcohol by a person under the age of twenty-one (21) years
17 ~~in accordance with this title~~ who has an alcohol
18 concentration of less than two one-hundredths of one
19 percent (.02%) and:

20
21 (i) Who is in the physical presence of his
22 parent, spouse or legal guardian who is twenty-one (21)
23 years of age or older;

1

2 (ii) Possesses or consumes alcoholic liquor or
3 malt beverages or consumes ethyl alcohol as part of a
4 church's or religious organization's religious services; or

5

6 (iii) Possesses or consumes alcoholic liquor or
7 malt beverages or consumes ethyl alcohol for medicinal
8 purposes if the alcoholic liquor, malt beverage or ethyl
9 alcohol is furnished:

10

11 (A) By the person's parent, spouse or legal
12 guardian who is twenty-one (21) years of age or older; or

13

14 (B) Pursuant to a lawful prescription.

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16 **STAFF COMMENT**

17

18 Subsection (d) is amended to prohibit a minor
19 from consuming or possessing alcohol, under all
20 circumstances and regardless of who provides the
21 alcohol, where the minor's blood alcohol content
22 (BAC) is .02% or above. The .02% BAC threshold
23 is selected to be consistent with W.S. 31-6-
24 108(b)(ii), which sets the same limit for the
25 purposes of a minor driving under the influence.
26 Note that, under the current Law and Order Codes
27 of the Shoshone & Arapaho Tribes of the Wind
28 River Indian Reservation, minors are prohibited
29 from driving with a BAC in excess of .01%.

30

1 Current Wyoming law allows a minor to consume and
2 possess alcohol with a parent, guardian or spouse
3 who is over 21, for religious purposes, or for
4 medical treatment. This bill is drafted to
5 maintain these permissions, but to impose a
6 blanket .02% BAC limit.

7
8 Paragraphs (d)(i) through (iii) are included,
9 above, for the Committee's information. If not
10 amended, they will be omitted from the formal
11 bill draft.

12 *****

13 Section 2. This act is effective July 1, 2027.

14
15 (END)