
DIGEST

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HB 343 Original

2015 Regular Session

Hazel

Abstract: Provides that possession and consumption of an alcoholic beverage in a private residence is not unlawful public possession if the person under 21 is accompanied by a parent, guardian, or spouse who is at least 21.

Present law (R.S. 14:93.12) prohibits the "public possession" of any alcohol beverage by any person under 21 years of age.

Present law (R.S. 14:93.10) defines "public possession" as the possession of any alcoholic beverage for any reason, including consumption, on any street, highway, or waterway or in any public place or any place open to the public, including a club which is de facto open to the public. However, present law provides that "public possession" does not include the possession or consumption of any alcoholic beverage:

- (1) For an established religious purpose.
- (2) When a person under 21 years of age is accompanied by a parent, spouse, or legal guardian 21 years of age or older.
- (3) For medical purposes when purchased as an over the counter medication, or when prescribed or administered by a licensed physician, pharmacist, dentist, nurse, hospital, or medical institution.
- (4) In private residences.

Proposed law amends the provision relative to possession or consumption of any alcoholic beverage in a private residence to provide that possession and consumption of an alcoholic beverage in a private residence is not unlawful public possession only if the person under 21 is accompanied by a parent, guardian, or spouse who is at least 21.

(Amends R.S. 14:93.10(2)(a)(iv))