

BILL ANALYSIS

Senate Research Center

H.B. 2868
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State Affairs
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Every year underage drinking results in countless injuries and loss of life. Young people, particularly teenagers, are unprepared to handle the effects of alcohol and too frequently harm people and property while intoxicated. Underage drinking is often facilitated by adults who are not the child's parent, but are old enough to buy alcohol and provide the alcohol to children younger than 18. Under current law, adults who provide liquor to minors cannot be held responsible for the cost if a child harms kills or kills another or is killed as a result of being under the influence of alcohol.

H.B. 2868 holds adults who are over 21 accountable for facilitating the intoxication of minors who are under 18. Under this bill, if a child who is 18 or younger causes damages while intoxicated due to the consumption of alcohol supplied by an adult who is 21 or older, the adult will be held liable for the damages caused by the child.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 2.02, Alcoholic Beverage Code, by adding Subsection (c), to provide that an adult 21 years of age or older is liable for damages proximately caused by the intoxication of a minor under the age of 18 if certain circumstances apply.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2005.