

§2081. Furnishing or allowing consumption of liquor by certain persons prohibited

1. Offense. Except as provided in subsection 2, a person may not knowingly:

A. Procure, or in any way aid or assist in procuring, furnish, give, sell or deliver liquor for or to a minor. The following penalties apply to violations of this paragraph.

(1) A person who violates this paragraph commits a Class D crime.

(2) A person who violates this paragraph commits a Class D crime for which a fine of not less than \$500 may be imposed, none of which may be suspended, if the violation involves a minor who is less than 18 years of age.

(3) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph B within a 6-year period commits a Class D crime for which a fine of not less than \$1,000 may be imposed, none of which may be suspended.

(4) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph B 2 or more times within a 6-year period commits a Class D crime for which a fine of not less than \$1,500 may be imposed, none of which may be suspended.

(5) A person who violates this paragraph commits a Class C crime if the consumption of liquor by the minor in fact causes serious bodily injury to or death of the minor or any other individual. For purposes of this subsection, "serious bodily injury" has the same meaning as set out in Title 17-A, section 2, subsection 23; [PL 2005, c. 292, §1 (AMD).]

B. Allow a minor under that person's control or in a place under that person's control to possess or consume liquor. The following penalties apply to violations of this paragraph.

(1) A person who violates this paragraph commits a Class D crime.

(2) A person who violates this paragraph commits a Class D crime for which a fine of not less than \$1,000 may be imposed, none of which may be suspended, if the violation involves a minor who is less than 18 years of age.

(3) A person who violates this paragraph after having been previously convicted of violating this paragraph or paragraph A within a 6-year period commits a Class D crime for which a fine of not less than \$2,000 may be imposed, none of which may be suspended.

(5) A person who violates this paragraph commits a Class C crime if the consumption of liquor by the minor in fact causes serious bodily injury to or death of the minor or any other individual. For purposes of this subsection, "serious bodily injury" has the same meaning as set out in Title 17-A, section 2, subsection 23; [PL 2005, c. 292, §1 (AMD).]

C. Procure, or in any way aid or assist in procuring, furnish, give, sell or deliver liquor to a visibly intoxicated person. Violation of this paragraph is a Class E crime, except notwithstanding Title 17-A, section sections 1704 and 1705, the fine may not be more than \$500; or [PL 2019, c. 113, Pt. C, §70 (AMD).]

D. Procure, or in any way assist in procuring, furnish, give, sell or deliver imitation liquor for or to a minor, or allow a minor under that person's control or in a place under that person's control to possess or consume imitation liquor. Violation of this paragraph is a Class E crime, except notwithstanding Title 17-A, sections 1704 and 1705, the fine may not be more than \$500. [PL 2019, c. 113, Pt. C, §70 (AMD).]

[PL 2019, c. 113, Pt. C, §70 (AMD).]

2. Exceptions. This section does not apply to a person who serves liquor or imitation liquor to a minor in a home in the presence of the minor's parent, guardian or custodian, as defined in Title 22, section 4002.

[PL 2003, c. 452, Pt. P, §9 (AMD); PL 2003, c. 452, Pt. X, §2 (AFF).]

3. Penalties.

[PL 2003, c. 452, Pt. P, §9 (RP); PL 2003, c. 452, Pt. X, §2 (AFF).]

4. Application. This section does not apply to licensees or agents of licensees in the scope of their employment.

[PL 1987, c. 45, Pt. A, §4 (NEW).]

5. Aggravated offense.

[PL 2003, c. 452, Pt. P, §9 (RP); PL 2003, c. 452, Pt. X, §2 (AFF).]

SECTION HISTORY

PL 1987, c. 45, §A4 (NEW). PL 1987, c. 342, §124 (AMD). PL 1987, c. 576 (AMD). PL 1989, c. 293, §§1-4 (AMD). PL 1991, c. 797, §13 (AMD). PL 1993, c. 266, §§29-31 (AMD). PL 2001, c. 395, §§1,2 (AMD). PL 2003, c. 452, §P9 (AMD). PL 2003, c. 452, §X2 (AFF). PL 2005, c. 292, §1 (AMD). PL 2019, c. 113, Pt. C, §70 (AMD).

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