

3-3-203. Purchase or possession by minor.

(a)(1) It shall be unlawful for any person under twenty-one (21) years of age to purchase or have in his or her possession any intoxicating liquor, wine, or beer.

(2) For the purposes of this section, intoxicating liquor, wine, or beer in the body of a minor shall not be deemed to be in his or her possession.

(b) It shall also be unlawful for any adult to purchase on behalf of a person under twenty-one (21) years of age any intoxicating liquor, wine, or beer.

(c) Any person violating this section is guilty of a violation and upon conviction shall be subject to a fine of not less than one hundred dollars (\$100) nor more than five hundred dollars (\$500).

(d) In addition to the penalties provided in this section, the trial judge or magistrate may impose the following penalty or penalties or any combination thereof:

(1) Require a person under twenty-one (21) years of age to write themes or essays on intoxicating liquors, wine, or beer; and

(2) Place a person under twenty-one (21) years of age under probationary conditions as determined by the court in its reasonable discretion designed as a reasonable and suitable preventive and educational safeguard to prevent future violations of this section by the person.

(e)(1) In addition to the fine authorized by subsection (c) of this section, at the time of arrest for violation of the provisions of subsection (a) of this section, the arrested person shall immediately surrender his or her license, permit, or other evidence of driving privilege to the arresting law enforcement officer as provided in § 5-65-402.

(2)(A) The Office of Driver Services or its designated official shall suspend or revoke the driving privilege of the arrested person or shall suspend any nonresident driving privilege of the arrested person, as provided in § 5-65-402.

(B) The period of suspension or revocation shall be based on the offense that caused the surrender of the arrested person's license, permit, or other evidence of driving privilege as described in subdivision (e)(1) of this section and the number of any previous offenses as follows:

(i) Suspension for sixty (60) days for a first offense under subsection (a) of this section;

(ii) Suspension for one hundred twenty (120) days for a second offense under subsection (a) of this section; and

(iii) Suspension for one (1) year for a third or subsequent offense under subsection (a) of this section.

(3) In order to determine the number of previous offenses to consider when suspending or revoking the

arrested person's driving privileges, the office shall consider as a previous offense any conviction under subsection (a) of this section which occurred either prior to or after the effective date of this subsection.

History. Acts 1967, No. 44, § 1; 1979, No. 61, § 1; A.S.A. 1947, § 48-903.1; Acts 1997, No. 1210, § 1; 2005, No. 1535, § 1; 2005, No. 1994, § 28.