

10-28-2015

MINIMUM DRINKING AGE. INITIATIVE STATUTE.

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Office of the Attorney General
ATTN: Initiative Coordinator
P.O. Box 944255
Sacramento, CA 94244-2550

RECEIVED

AUG 25 2015

INITIATIVE COORDINATOR
ATTORNEY GENERAL'S OFFICE

Attorney General of California:

This note is a written request for a circulating title and summary for the attached proposed initiative measure.

I've enclosed a check for \$200.

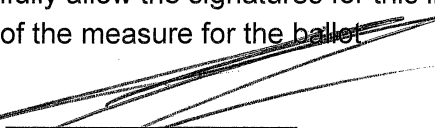
Further, here are my required attestations.

I, Terrance Lynn, declare under penalty of perjury that I am a citizen of the United States, 18 years of age or older, and a resident of San Mateo county, California.

Signed, 

Dated, August 23, 2015

I, Terrance Lynn, acknowledge that it is a misdemeanor under state law (Section 18650 of the Elections Code) to knowingly or willfully allow the signatures on an initiative petition to be used for any purposes other than qualification of the proposed measure for the ballot. I certify that I will not knowingly or willfully allow the signatures for this initiative to be used for any purpose other than qualification of the measure for the ballot.

Signature of Proponent 

Dated this 23rd day of August, 2015

As a suggestion, you may consider this as a working summary for the initiative.

"This initiative would lower the California alcohol drinking age to 18."

For more information about this initiative and as my public contact information, please visit my website www.theTerryLynn.com. My email is contact@theTerryLynn.com. My address is 165 Georgia Lane, Portola Valley, California 94028.

Regards,

Terrance Lynn


Lower Alcohol Drinking Age to 18

This initiative replaces the age 21 with the age 18 in California Code 25658.

The new text would read as follows (with the amended language in bold).

“
25658. (a) Except as otherwise provided in subdivision (c), every person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under **18** years of age is guilty of a misdemeanor.

(b) Except as provided in Section 25667 or 25668, any person under **18** years of age who purchases any alcoholic beverage, or any person under **18** years of age who consumes any alcoholic beverage in any on-sale premises, is guilty of a misdemeanor.

(c) Any person who violates subdivision (a) by purchasing any alcoholic beverage for, or furnishing, giving, or giving away any alcoholic beverage to, a person under **18** years of age, and the person under **18** years of age thereafter consumes the alcohol and thereby proximately causes great bodily injury or death to himself, herself, or any other person, is guilty of a misdemeanor.

(d) Any on-sale licensee who knowingly permits a person under **18** years of age to consume any alcoholic beverage in the on-sale premises, whether or not the licensee has knowledge that the person is under **18** years of age, is guilty of a misdemeanor.

(e) (1) Except as otherwise provided in paragraph (2) or (3), or Section 25667 or 25668, any person who violates this section shall be punished by a fine of two hundred fifty dollars (\$250), no part of which shall be suspended, or the person shall be required to perform not less than 24 hours or more than 32 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court. A second or subsequent violation of subdivision (b), where prosecution of the previous violation was not barred pursuant to Section 25667 or 25668, shall be punished by a fine of not more than five hundred dollars (\$500), or the person shall be required to perform not less than 36 hours or more than 48 hours of community service during hours when the person is not employed and is not attending school, or a combination of a fine and community service as determined by the court. It is the intent of the Legislature that the community service requirements prescribed in this section require service at an alcohol or drug treatment program

or facility or at a county coroner's office, if available, in the area where the violation occurred or where the person resides.

(2) Except as provided in paragraph (3), any person who violates subdivision (a) by furnishing an alcoholic beverage, or causing an alcoholic beverage to be furnished, to a minor shall be punished by a fine of one thousand dollars (\$1,000), no part of which shall be suspended, and the person shall be required to perform not less than 24 hours of community service during hours when the person is not employed and is not attending school.

(3) Any person who violates subdivision (c) shall be punished by imprisonment in a county jail for a minimum term of six months not to exceed one year, by a fine of one thousand dollars (\$1,000), or by both imprisonment and fine.

(f) Persons under **18** years of age may be used by peace officers in the enforcement of this section to apprehend licensees, or employees or agents of licensees, or other persons who sell or furnish alcoholic beverages to minors. Notwithstanding subdivision (b), any person under **18** years of age who purchases or attempts to purchase any alcoholic beverage while under the direction of a peace officer is immune from prosecution for that purchase or attempt to purchase an alcoholic beverage. Guidelines with respect to the use of persons under **18** years of age as decoys shall be adopted and published by the department in accordance with the rulemaking portion of the Administrative Procedure Act (Chapter 3.5 (commencing with Section 11340) of Part 1 of Division 3 of Title 2 of the Government Code). Law enforcement-initiated minor decoy programs in operation prior to the effective date of regulatory guidelines adopted by the department shall be authorized as long as the minor decoy displays to the seller of alcoholic beverages the appearance of a person under **18** years of age. This subdivision shall not be construed to prevent the department from taking disciplinary action against a licensee who sells alcoholic beverages to a minor decoy prior to the department's final adoption of regulatory guidelines. After the completion of every minor decoy program performed under this subdivision, the law enforcement agency using the decoy shall notify licensees within 72 hours of the results of the program. When the use of a minor decoy results in the issuance of a citation, the notification required shall be given to licensees and the department within 72 hours of the issuance of the citation. A law enforcement agency may comply with this requirement by leaving a written notice at the licensed premises addressed to the licensee, or by mailing a notice addressed to the licensee.

(g) The penalties imposed by this section do not preclude

prosecution or the imposition of penalties under any other provision of law, including, but not limited to, Section 272 of the Penal Code and Section 13202.5 of the Vehicle Code.

The Attorney General of California has prepared the following title and summary of the chief purpose and points of the proposed measure:

MINIMUM DRINKING AGE. INITIATIVE STATUTE. Lowers the minimum legal drinking age in California from 21 to 18. Summary of estimate by Legislative Analyst and Director of Finance of fiscal impact on state and local government: **Reduction in federal highway funds totaling roughly \$200 million dollars annually. Increased state and local tax revenues associated with the sale of alcoholic beverages totaling possibly several million dollars annually.** (15-0054.)