



SPONSOR: Sen. Sturgeon & Sen. McBride & Rep. Minor-Brown &
Rep. Schwartzkopf & Rep. Cooke
Sens. Delcollo, Sokola; Reps. Carson, Chukwuocha,
Heffernan, Kowalko, Longhurst, Lynn

DELAWARE STATE SENATE
150th GENERAL ASSEMBLY

SENATE BILL NO. 44

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO UNDERAGE POSSESSION OR
CONSUMPTION OF ALCOHOL.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

1 Section 1. Amend § 904, Title 4 of the Delaware Code by making deletions as shown by strike through and
2 insertions as shown by underline as follows:

3 § 904. Offenses concerning certain persons.

4 (f) Whoever, being under the age of 21 years, has alcoholic liquor in his or her possession at any time, or
5 consumes or is found to have consumed alcoholic liquor, shall have their Delaware driver's license revoked for a period of
6 30 days for the 1st offense and not less than 90 days nor more than 180 days for each subsequent offense. If the underage
7 person does not have a Delaware driver's license, the person shall be fined \$100 for the 1st offense and not less than \$200
8 nor more than \$500 for each subsequent offense. A violation of this subsection is a civil offense. Information concerning
9 this civil offense may not appear on an individual's certified criminal record. This section shall not apply to the possession
10 or consumption of alcoholic liquor in connection with any religious service or by members of the same family within the
11 private home of any of said members.

SYNOPSIS

This Act makes the possession or consumption of alcohol by an individual under 21 years of age a civil offense.
This Act also prohibits including information concerning a civil violation of the underage possession or consumption law
on an individual's certified criminal record.

Author: Senator Sturgeon