

Legislative Analysis



BREATHALYZER FOR MINORS

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Senate Bill 1226

Sponsor: Sen. Alan L. Cropsey

House Committee: Judiciary

Senate Committee: Judiciary

Complete to 6-27-06

A SUMMARY OF SENATE BILL 1226 AS PASSED BY THE SENATE 5-10-06

The "minor in possession" law prohibits a person under the age of 21 from having any bodily alcohol content and from purchasing, possessing, or consuming alcohol (or attempting to do the same). A penalty for a violation can include a fine, community service, substance abuse screening, probation, or jail, depending on whether it is a first or subsequent offense.

Senate Bill 1226 would amend the minor in possession law within the Michigan Liquor Control Code to allow a court to order a minor to submit to random or regular breathalyzer tests. Specifically, the court could order a minor subject to a conviction or juvenile adjudication of, or placed on probation regarding, a violation of the minor in possession law to submit to a random or regular preliminary chemical breath analysis. In addition, if the minor were less than 18 and not emancipated, his or her parent, guardian, or custodian could also request that breathalyzer tests be performed on a random or regular basis.

MCL 436.1703

FISCAL IMPACT:

The bill will result in increased administrative and testing costs for state and local government. It is possible such costs may be partially or fully recovered under various statutory provisions cited in the Michigan Liquor Control Code.

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