

PROHIBITING ALCOHOL IN SCHOOLS

1998 GENERAL SESSION

STATE OF UTAH

Sponsor: LeRay McAllister

AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING AN EXCEPTION TO THE CONSUMPTION OR POSSESSION OF ALCOHOL WHERE SCHOOL PROPERTY IS OWNED BY A SCHOOL DISTRICT BUT UNDER LEASE TO ANOTHER PARTY AND NOT BEING USED FOR SCHOOL PURPOSES AT ANY TIME DURING THE TERM OF THE LEASE.

This act affects sections of Utah Code Annotated 1953 as follows:

AMENDS:

53A-3-501, as enacted by Chapter 2, Laws of Utah 1988

Be it enacted by the Legislature of the state of Utah:

Section 1. Section **53A-3-501** is amended to read:

53A-3-501. Possession or consumption of alcoholic beverages at school or school-sponsored activities -- Penalty.

(1) ~~h~~ **[A] EXCEPT AS APPROVED BY A LOCAL SCHOOL BOARD AS PART OF THE CURRICULUM, A h** person may not possess or drink an alcoholic beverage:

(a) inside or on the grounds of any building owned or operated by a part of the public education system; or

(b) in those portions of any building, park, or stadium which are being used for an activity sponsored by or through any part of the public education system.

(2) (a) Subsection (1)(a) does not apply to property owned by a school district in contemplation of future use for school purposes while the property is under lease to another party.

(b) (i) For purposes of Subsection (2)(a), a lease must be full time for a period of not less than § [three] TWO § years.

(ii) The property may not be used for school purposes at any time during the lease period.

~~(2)~~ (3) Violation of this section is a class B misdemeanor.

lilac-February 4, 1998

Legislative Review Note
as of 12-16-97 3:26 PM

A limited legal review of this bill raises no obvious constitutional or statutory concerns.

Office of Legislative Research and General Counsel