

Effective 5/12/2015

32B-4-410 Unlawful admittance or attempt to gain admittance by minor.

- (1) It is unlawful for a minor to gain admittance or attempt to gain admittance to the premises of:
 - (a) a tavern; or
 - (b) a social club licensee, except to the extent authorized by Section 32B-6-406.1.
- (2) A minor who violates this section is guilty of a class C misdemeanor.
- (3)
 - (a) If a minor is found by a court to have violated this section and the violation is the minor's first violation of this section, the court may:
 - (i) order the minor to complete a screening as defined in Section 41-6a-501;
 - (ii) order the minor to complete an assessment as defined in Section 41-6a-501 if the screening indicates an assessment to be appropriate; and
 - (iii) order the minor to complete an educational series as defined in Section 41-6a-501 or substance abuse treatment as indicated by an assessment.
 - (b) If a minor is found by a court to have violated this section and the violation is the minor's second or subsequent violation of this section, the court shall:
 - (i) order the minor to complete a screening as defined in Section 41-6a-501;
 - (ii) order the minor to complete an assessment as defined in Section 41-6a-501 if the screening indicates an assessment to be appropriate; and
 - (iii) order the minor to complete an educational series as defined in Section 41-6a-501 or substance abuse treatment as indicated by an assessment.
- (4)
 - (a) When a minor who is at least 18 years old, but younger than 21 years old, is found by a court to have violated this section, except as provided in Section 32B-4-411, the court hearing the case shall suspend the minor's driving privileges under Section 53-3-219.
 - (b) Notwithstanding the provision in Subsection (4)(a), the court may reduce the suspension period required under Section 53-3-219 if:
 - (i) the violation is the minor's first violation of this section; and
 - (ii)
 - (A) the minor completes an educational series as defined in Section 41-6a-501; or
 - (B) the minor demonstrates substantial progress in substance abuse treatment.
 - (c) Notwithstanding the requirement in Subsection (4)(a) and in accordance with the requirements of Section 53-3-219, the court may reduce the suspension period required under Section 53-3-219 if:
 - (i) the violation is the minor's second or subsequent violation of this section;
 - (ii) the minor has completed an educational series as defined in Section 41-6a-501 or demonstrated substantial progress in substance abuse treatment; and
 - (iii)
 - (A) the person is 18 years of age or older and provides a sworn statement to the court that the person has not unlawfully consumed alcohol or drugs for at least a one-year consecutive period during the suspension period imposed under Subsection (4)(a); or
 - (B) the person is under 18 years of age and has the person's parent or legal guardian provide an affidavit or sworn statement to the court certifying that to the parent or legal guardian's knowledge the person has not unlawfully consumed alcohol or drugs for at least a one-year consecutive period during the suspension period imposed under Subsection (4)(a).
- (5) When a minor who is at least 13 years old, but younger than 18 years old, is found by a court to have violated this section, Section 78A-6-606 applies to the violation.

- (6) When a court issues an order suspending a person's driving privileges for a violation of this section, the Driver License Division shall suspend the person's license under Section 53-3-219.
- (7) When the Department of Public Safety receives the arrest or conviction record of a person for a driving offense committed while the person's license is suspended pursuant to this section, the Department of Public Safety shall extend the suspension for an additional like period of time.

Amended by Chapter 165, 2015 General Session