♣ Approved for Filing: JLW♣ 01-06-98 4:04 PM♣

1	PROHIBITING ALCOHOL IN SCHOOLS
2	1998 GENERAL SESSION
3	STATE OF UTAH
4	Sponsor: LeRay McAllister
5	AN ACT RELATING TO PUBLIC EDUCATION; PROVIDING AN EXCEPTION TO THE
6	CONSUMPTION OR POSSESSION OF ALCOHOL WHERE SCHOOL PROPERTY IS
7	OWNED BY A SCHOOL DISTRICT BUT UNDER LEASE TO ANOTHER PARTY AND
8	NOT BEING USED FOR SCHOOL PURPOSES AT ANY TIME DURING THE TERM OF
9	THE LEASE.
10	This act affects sections of Utah Code Annotated 1953 as follows:
11	AMENDS:
12	53A-3-501, as enacted by Chapter 2, Laws of Utah 1988
13	Be it enacted by the Legislature of the state of Utah:
14	Section 1. Section <b>53A-3-501</b> is amended to read:
15	53A-3-501. Possession or consumption of alcoholic beverages at school or
16	school-sponsored activities Penalty.
17	(1) A person may not possess or drink an alcoholic beverage:
18	(a) inside or on the grounds of any building owned or operated by a part of the public
19	education system; or
20	(b) in those portions of any building, park, or stadium which are being used for an activity
21	sponsored by or through any part of the public education system.
22	(2) (a) Subsection (1)(a) does not apply to property owned by a school district in
23	contemplation of future use for school purposes while the property is under lease to another party
24	(b) (i) For purposes of Subsection (2)(a), a lease must be full time for a period of not less
25	than three years.
26	(ii) The property may not be used for school purposes at any time during the lease period.
27	[(2)] (3) Violation of this section is a <u>class B</u> misdemeanor.

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## 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