

MINOR IN POSSESSION

LEGISLATOR NOTICE

The Legislative Services Division is required to offer a brief history on the subject matter of a bill draft request prior to drafting (5-4-105, MCA; [Chapter 309, Laws of 2017](#)). The history must include related legislation introduced over the last five sessions and hyperlinks to the bill, hearing information, and fiscal notes. The legislation links below open to the page showing the status and history of bills introduced on this topic in the past. The bill text and any related fiscal notes can be accessed through the link at the top of that page.

Legislation can be complex and this history is not intended to be exhaustive. Please contact the drafter of the requested bill for more information.

Background Materials and Research

Topic Summary: The topic of Minor in Possession addresses the physical possession and knowing consumption of alcohol by individuals under 21 years of age.

Legislative Services Division Materials: Can include reports, legal opinions, white papers. Hyperlinks.

Other Materials: Might include audits, fiscal reports, agency reports, NCSL or CSG materials. Hyperlinks.

Introduced Legislation

Include year, most recent first. Hyperlink to status page. *Chapter number assigned means bill was passed and approved. Most recent action. Cut and paste title. Example provided.

2017

[House Bill 111](#) – Chapter Number Assigned -- AN ACT REVISING LAWS REGARDING THE MAINTENANCE OF MINOR IN POSSESSION CONVICTION AND ADJUDICATION INFORMATION; ELIMINATING THE REQUIREMENT THAT A COURT REPORT A MINOR IN POSSESSION CONVICTION OR ADJUDICATION TO THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES; ELIMINATING THE REQUIREMENT THAT THE DEPARTMENT OF PUBLIC HEALTH AND HUMAN SERVICES MAINTAIN A LIST OF PERSONS CONVICTED OF THE OFFENSE OF MINOR IN POSSESSION; AND AMENDING SECTIONS 41-5-215, 41-5-216, AND 45-5-624, MCA.

2015

[House Bill 412](#) – Chapter Number Assigned -- AN ACT PROVIDING THAT A PERSON UNDER 21 YEARS OF AGE MAY NOT BE CHARGED OR PROSECUTED FOR CERTAIN CRIMINAL OFFENSES IF THE PERSON SEEKS MEDICAL TREATMENT FOR THE PERSON OR ANOTHER PERSON IN CERTAIN CIRCUMSTANCES FOR CONSUMING INTOXICATING SUBSTANCES OR IF EVIDENCE FOR THE CHARGE OR PROSECUTION WAS OBTAINED AS A RESULT OF THE PERSON'S SEEKING OR RECEIVING MEDICAL TREATMENT FOR CONSUMING INTOXICATING SUBSTANCES; PROVIDING DEFINITIONS; AND AMENDING SECTION 45-5-624, MCA.

[Senate Bill 242](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING LAWS RELATED TO THE PROVISION OF ALCOHOL TO A PERSON UNDER 21 YEARS OF AGE; PROVIDING THAT A PERSON IN CONTROL OF PROPERTY WHO KNOWINGLY OR PURPOSELY ALLOWS A PERSON UNDER 21 YEARS OF AGE TO CONSUME ALCOHOL ON THE PROPERTY IS GUILTY OF A MISDEMEANOR; AND AMENDING SECTION 16-6-305, MCA."

2013

None

2011

[Senate Bill 10](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT GENERALLY REVISING PENALTIES FOR MINORS WHO VIOLATE ALCOHOL-RELATED STATUTES; PROVIDING THAT A MINOR WHO VIOLATES AN ALCOHOL-RELATED STATUTE MAY NOT OBTAIN A DRIVER'S LICENSE UNTIL THE MINOR IS 18 YEARS OF AGE; REQUIRING THAT THE DRIVER'S LICENSE OF A MINOR WHO HAS A DRIVER'S LICENSE AT THE TIME OF THE VIOLATION OF AN ALCOHOL-RELATED STATUTE BE SUSPENDED UNTIL THE MINOR IS 18 YEARS OF AGE; AMENDING SECTIONS 45-5-624, 61-5-105, 61-5-205, 61-5-208, AND 61-8-410, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE AND AN APPLICABILITY DATE."

[Senate Bill 30](#) – Died in Standing Committee -- A BILL FOR AN ACT ENTITLED: "AN ACT REVISING FISH, WILDLIFE, AND PARKS LAWS REGARDING THE ILLEGAL USE OF ALCOHOL AND DANGEROUS DRUGS, DISORDERLY CONDUCT, AND PUBLIC NUISANCE TO AUTHORIZE FISH, WILDLIFE, AND PARKS WARDENS AND PARK RANGERS TO ENFORCE LAWS RELATED TO MINORS IN POSSESSION OF INTOXICATING SUBSTANCES, MISDEMEANOR POSSESSION OF DANGEROUS DRUGS, CRIMINAL POSSESSION OF DRUG PARAPHERNALIA, DISORDERLY CONDUCT, AND PUBLIC NUISANCE ON LANDS OWNED OR OPERATED BY THE DEPARTMENT OF FISH, WILDLIFE, AND PARKS, ON OTHER PUBLIC LANDS PURSUANT TO AN AGREEMENT WITH THE LAND MANAGEMENT AGENCY, AND ON PUBLIC WATERS; REQUIRING OFFICERS WHO ISSUE CITATIONS TO INVESTIGATE AND ASSIST IN PROSECUTIONS THAT ARISE FROM THE CITATIONS; AMENDING SECTIONS 23-1-122 AND 87-1-506, MCA; AND PROVIDING AN IMMEDIATE EFFECTIVE DATE."

2009

None

