

(5) 66% of North Carolina teens believe their peers are getting alcohol from someone over 21 who is buying it for them, and 80% of the time it is an acquaintance rather than a stranger that buys it.

(6) 30% of North Carolina teens say they know a store in their community where someone under 21 can easily buy beer.

(7) 19% of 17 year-olds report they have attended a party where alcohol was supplied by parents.

(8) In 1996, more than 200 North Carolina youth were hospitalized for primary alcohol-related diagnoses; and

Whereas, young people who begin drinking before age 15 are more than twice as likely to develop alcohol abuse as those who begin drinking at age 21; and

Whereas, underage drinking is a matter of statewide concern; Now, therefore,

The General Assembly of North Carolina enacts:

Section 1. Chapter 18B of the General Statutes is amended by adding a new section to read:

"§ 18B-302A. Penalties for certain offenses related to underage persons.

(a) A violation of G.S. 18B-302(a) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least two hundred fifty dollars (\$250.00) as authorized by G.S. 15A-43(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars (\$500.00) as authorized by G.S. 15A-43(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b1)(6).

(b) A violation of G.S. 18B-302(c)(2) is a Class 1 misdemeanor. Notwithstanding the provisions of G.S. 15-1340.23, if the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least five hundred dollars (\$500.00) as authorized by G.S. 15A-43(b)(9) and a requirement that the person complete at least 25 hours of community service, as authorized by G.S. 15A-1343(b1)(6). If the person has a previous conviction of this offense in the four years immediately preceding the date of the current offense, and the court imposes a sentence that does not include an active punishment, the court must include among the conditions of probation a requirement that the person pay a fine of at least one thousand dollars (\$1,000) as authorized by G.S. 15A-43(b)(9) and a requirement that the person complete at least 150 hours of community service, as authorized by G.S. 15A-1343(b1)(6).

(c) In addition to the punishments imposed under this section, the court may impose the provisions of G.S. 18B-202 and of G.S. 18B-503, 18B-504, and 18B-505."

Section 2. G.S. 18B-302(i) is repealed.

1 Section 3. G.S. 15A-146(a) reads as rewritten:
2 "(a) If any person is charged with a crime, either a misdemeanor or a felony, or is
3 was charged with an infraction under ~~G.S. 18B-302(i)~~, G.S. 18B-302(i) prior to December
4 1, 1999, and the charge is dismissed, or a finding of not guilty or not responsible is
5 entered, that person may apply to the court of the county where the charge was brought
6 for an order to expunge from all official records any entries relating to his apprehension
7 or trial. The court shall hold a hearing on the application and, upon finding that the
8 person had not previously received an expungement and that the person had not
9 previously been convicted of any felony under the laws of the United States, this State, or
10 any other state, the court shall order the expunction. No person as to whom such an order
11 has been entered shall be held thereafter under any provision of any law to be guilty of
12 perjury, or to be guilty of otherwise giving a false statement or response to any inquiry
13 made for any purpose, by reason of his failure to recite or acknowledge any expunged
14 entries concerning apprehension or trial."

15 Section 4. This act becomes effective December 1, 1999, and applies to
16 offenses committed on or after that date.