

Department of Planning and Budget

2023 Fiscal Impact Statement

1. Bill Number: SB1226

House of Origin ☒ Introduced ☐ Substitute ☐ Engrossed

Second House ☐ In Committee ☐ Substitute ☐ Enrolled

2. Patron: Obenshain

3. Committee: Senate Committee on the Judiciary

4. Title: Liability for sale of alcohol to an underage person

5. Summary: The proposed bill creates a cause of action against an alcoholic beverage control retail licensee who sells alcohol to an underage person who was visibly intoxicated if the consumption of the alcohol caused or contributed to an injury to person or property while the underage person operated a motor vehicle. The plaintiff must prove such negligence by a clear and convincing evidence standard.

6. Budget Amendment Necessary: No

7. Fiscal Impact Estimates: Preliminary (see Item 8 below)

8. Fiscal Implications: According to the Alcoholic Beverage Control Authority (ABC), the proposed bill does not create a fiscal impact on agency resources.

9. Specific Agency or Political Subdivisions Affected: Alcoholic Beverage Control Authority

10. Technical Amendment Necessary: No

11. Other Comments: None