

COMMITTEE ON LEGISLATIVE RESEARCH  
OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 0943-01  
Bill No.: SB 248  
Subject: Alcohol; Liability  
Type: Original  
Date: January 17, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> State Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON FEDERAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
None			
<b>Total Estimated Net Effect on <u>All</u> Federal Funds</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

<b>ESTIMATED NET EFFECT ON LOCAL FUNDS</b>			
FUND AFFECTED	FY 2002	FY 2003	FY 2004
<b>Local Government</b>	<b>\$0</b>	<b>\$0</b>	<b>\$0</b>

Numbers within parentheses: ( ) indicate costs or losses.  
 This fiscal note contains 3 pages.

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**FISCAL ANALYSIS**

ASSUMPTION

Officials of the **Office of the State Courts Administrator, Office of Prosecution Services,** and the **Office of the State Public Defender** each assume this proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2002 (10 Mo.)	FY 2003	FY 2004
	\$0	\$0	\$0

FISCAL IMPACT - Small Business

Small businesses that sell intoxicating beverages by the drink would, seemingly be asserted a level of protection from liability with this proposal.

DESCRIPTION

This proposal addresses "dram shop" liability. The proposal finds that the consumption of intoxicating beverages, rather than the sale or serving of such beverages, is the proximate cause of any injury inflicted by an intoxicated person. No person licensed to sell intoxicating liquor by the drink, or any agent or employee of such person, or any social host, who lawfully sells or serves intoxicating liquors shall be liable to any person for any injury suffered off the licensed premises due to intoxication. No social host who owns or leases a premises on which intoxicating liquors are consumed, in the absence and without consent of the host, shall be liable for injuries caused by an intoxicated person.

This legislation is not federally mandated, would not duplicate any other program and would not require additional capital improvements or rental space.

SOURCES OF INFORMATION

Office of the State Courts Administrator  
Office of Prosecution Services  
Office of the State Public Defender

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with a large initial "J".

Jeanne Jarrett, CPA  
Director  
January 17, 2001