

COMMITTEE ON LEGISLATIVE RESEARCH  
 OVERSIGHT DIVISION

**FISCAL NOTE**

L.R. No.: 2807-01  
Bill No.: SB 700  
Subject: Alcohol, Business and Commerce, Liability.  
Type: Original  
Date: December 14, 2001

**FISCAL SUMMARY**

<b>ESTIMATED NET EFFECT ON STATE FUNDS</b>			
<b>FUND AFFECTED</b>	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>
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>			
<b>FUND AFFECTED</b>	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>
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>			
<b>FUND AFFECTED</b>	<b>FY 2003</b>	<b>FY 2004</b>	<b>FY 2005</b>
<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.

**FISCAL ANALYSIS**

ASSUMPTION

In response to similar proposals from the 2001 session, the **Office of the Attorney General**, **Office of the State Courts Administrator** and the **Department of Public Safety - Division of Liquor Control** each assumed this proposal would not fiscally impact their respective agencies.

<u>FISCAL IMPACT - State Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$0	\$0	\$0

<u>FISCAL IMPACT - Local Government</u>	FY 2003 (10 Mo.)	FY 2004	FY 2005
	\$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 Attorney General

RS:LR:OD (12/01)

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Office of the State Courts Administrator  
Department of Public Safety  
Division of Liquor Control

A handwritten signature in black ink, appearing to read "Jeanne Jarrett". The signature is written in a cursive style with some loops and flourishes.

Jeanne Jarrett, CPA  
Director

December 14, 2001