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Senator Valerie Wiener

Mr. Chair and members of the committee, for the record, I am State Senator Valerie Wiener, representing Clark County District 3. Today I appear before you to urge your support for Senate Bill 7, which deals with what is commonly called “social hosting.”

Before I discuss SB 7, I’d like to provide you with a little background for the bill. In the 2003 legislative session, I sponsored Senate Concurrent Resolution 15, which addressed the problem of alcohol and drug abuse by young adults while driving motor vehicles. During the hearing in the Assembly, Kathy Bartosz from the Department of Human Resources, Division of Child and Family Services, testified with great enthusiasm. With her agency’s permission, she offered some dedicated dollars to conduct a study based on SCR 15.

That study—which focused on underage alcohol consumption in our state—was a cooperative effort between Human Resources, the Department of Transportation, and the Department of Education.

That 2005 report—which included information from the 1999, 2001, and 2003 Youth Risk Behavior Surveys—contained some disturbing trends. And, now, two years later, we have the 2005 information as well.

Assembly committee: Judiciary

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Submitted by: Senator Valerie Wiener

Let me summarize some of the 2005 findings.

–Approximately, one in four high schoolers, in the past 30 days, rode in a car or other vehicle driven by someone who had been drinking alcohol.

–Approximately, ten percent of high schoolers—in past 30 days—drank and drove.

–Nearly two out of five of those who drink alcohol, usually get their alcoholic beverages from home with—or without—parental knowledge.

–Nearly one-quarter of those surveyed think that people are at slight or no risk of harming themselves if they have five or more drinks within a couple of hours.

–More than 40 percent believe that some, most, or all of their closest friends use alcohol more than once a month.

–About one out of five believes that parents or guardians would approve, or not care, if they attended a party where alcoholic beverages were available.

–Approximately one in ten think that parents or guardians would approve, or not care, if they have five or more drinks within a couple of hours. //

We do have some recent improvements in Nevada's youthful behavior in some of these areas. The improvements are the result of a concerted collaborative effort by many state and local agencies. However, the numbers are still very alarming.

And, if behavioral trends are not enough to flag us about this issue . . . the dollars spent on alcohol-related losses are staggering. / Nevada ranked fourth highest among the 50 states for the cost per youth of underage drinking. That cost—522 million dollars. //

Let's take a look at what **ADULTS** think. From 2002 to 2003, St. Mary's Hospital in Reno conducted a survey about adult attitudes toward underage drinking policy.

—In Clark County, 35 percent of respondents agreed that parents should be allowed to provide alcohol to minors when they “host parties” in their own home. Twenty-six percent of parents in Washoe County agreed with this.

—Approximately 65 percent of respondents—north, south, and rural—believe that alcohol policies should be more concerned with people who give or sell alcohol to teenagers and less with teenagers who drink.

–85 percent of Clark County adults—and more than 88 percent statewide –believe that law enforcement should break up unsupervised parties at people’s homes when alcohol is being consumed. //

It’s clear that we have a serious problem in Nevada with underage drinking—and the losses that can, and often do, occur as a result of this drinking. The 2005 report produced by the Department of Human Resources engaged other agencies when compiling its recommendations. The National Highway Traffic Safety Administration and the Nevada Department of Public Safety and its Office of Traffic Safety were involved. /

One of the primary recommendations was to enact a “social hosting liability statute” for this underage drinking problem. THIS was the genesis of SB 337 of last session and . . . for SB 7 of this session, which you have before you now.

Succinctly, this “social hosting” legislation would ensure that adults who knowingly serve, sell, or otherwise furnish alcohol to an underage drinker—or a controlled substance to anyone—are civilly liable for any damages caused by the inebriated drinker or substance abuser. / I want to assure you that I listened to your committee's concerns and removed the criminal sanctions from the 2005 bill and I raised the standard to "knowingly." The liability does not apply to a person who is licensed to serve, sell, or furnish alcoholic beverages or that person’s employee or agent.

This bill addresses those underage drinkers who often access alcohol in a setting, where adults knowingly permit them to drink, and this drinking can be linked to damage caused by the underage drinker. And it applies to a person of any age, under similar conditions, who engages with a controlled substance.

Mr. Chair and members of the committee, I offered the only amendment to this bill in Senate Judiciary which addressed some concerns your committee had last session. These changes are in Section 1, Sub. 1, and Section 2, Sub. 2, where I added the word “knowingly.”/

Mr. Chair and members of the committee, the need for SB7 continues to be an important public safety issue. It continues to be a significant health issue. It continues to be an overlooked public policy issue. / What started as a Senate Concurrent Resolution four years ago has produced substantial awareness of this problem in our state. / Unfortunately, research and statistics continue to fortify the need to establish a “social hosting” law to address this problem. / Thirty-three states have made this commitment to their citizens. / The opportunity—and responsibility—to make this commitment to Nevada citizens is ours. / The evidentiary need for this legislation is NOW. / Based on this need, I strongly encourage your support for SB7. Thank you.

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