

**Committees:**

Vice-Chair, Primary & Secondary Education  
Agriculture & Conservation  
Health  
Higher Education & Career Readiness



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**Representative Adam C. Bird**  
**Ohio House District 66**

**Sponsor Testimony**  
**House Bill 418**  
**Before the House Committee on Criminal Justice**

**October 12, 2021**

Chair LaRe, Vice-Chair Swearingen, Ranking Member Leland, and members of the House Criminal Justice Committee, thank you for allowing us the opportunity to provide sponsor testimony for House Bill 418, which will help combat teen drinking by changing the *mens rea* for furnishing alcohol to a minor from “knowingly” to “recklessly.”

Often the best bills that we propose are the ideas that come to us from constituents. This bill is an example of just that. A year ago, I had a mother of three school-age daughters come to me with huge concerns regarding the binge drinking, driving while intoxicated, and sexual assaults that are happening at high school parties in our community.

This is not just an anecdotal incident from one concerned parent. The Center for Disease Control reports that underage drinking:

1. Is a significant public health problem in the US.
2. Is responsible for 3,500 deaths yearly.
3. Is responsible for 119,000 emergency room visits between the ages of 12 and 21 for injuries linked to alcohol.
4. Causes higher rates of absences and lower grades.
5. Causes higher rates of arrest for driving or hurting someone while drunk.
6. Causes higher rates of unplanned, unwanted, and unprotected sexual intercourse.
7. Causes higher rates of sexual violence.
8. Causes higher rates of motor vehicle crashes and unintentional injuries such as falls, burns, and drowning.
9. Leads to misuse of other banned substances.
10. Changes brain development that can have lifelong impact.

Furthermore, the National Institute on Alcohol Abuse and Alcoholism reported that an estimated 50% of sexual assault in our country involves the use of alcohol by the perpetrator, victim, or both. This study also found that sexual assaults involving alcohol most often occur at parties, and that the cognitive impairments caused by the alcohol reduces the ability of the victim to evaluate the risk they are in and reduces their ability to resist effectively.

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Underage drinking is preventable, and it is impacted by a state's alcohol policy. How can a state's alcohol policy impact underage drinking? According to the CDC, a state can help prevent excessive drinking by:

1. Increasing alcohol taxes.
2. Regulating the number and concentration of alcohol outlets.
3. Enforcing laws prohibiting alcohol sales to minors.

To make underage drinking more preventable in Ohio, we are seeking to improve Ohio's alcohol policy when it comes to adults providing alcohol to teens.

HB 418 is a very simple bill that changes only one word in Ohio Revised Code. Currently, the ORC prohibits an owner or occupant of a public or private place from knowingly allowing an underage person to consume or possess alcohol in that place. We are seeking to change that standard from **knowingly** providing alcohol to an underage person to **recklessly** providing alcohol to an underage person.

I'd like to ask my friend and joint sponsor Representative Brian Stewart to discuss the legal impact of this one-word change to the Ohio Revised Code, and then we will be happy to answer your questions.