

**RESOLUTION NO. 312 -2010, ADOPTING LOCAL LAW
NO. 22 -2010, A LOCAL LAW BANNING THE SALE OF
DRINKING GAMES TO MINORS**

WHEREAS, there was duly presented and introduced to this County Legislature at a meeting held on March 2, 2010, a proposed local law entitled, "**A LOCAL LAW BANNING THE SALE OF DRINKING GAMES TO MINORS**"; now, therefore be it

RESOLVED, that said local law be enacted in form as follows:

LOCAL LAW NO. 22 -2010, SUFFOLK COUNTY, NEW YORK

**A LOCAL LAW BANNING THE SALE OF DRINKING GAMES TO
MINORS**

**BE IT ENACTED BY THE COUNTY LEGISLATURE OF THE COUNTY OF
SUFFOLK**, as follows:

Section 1. Legislative Intent.

This Legislature hereby finds and determines that drinking games like beer pong have become increasingly popular in recent years.

This Legislature also finds and determines that some drinking games have become so popular that they have led to the development of video games, board games, branded products used for game play, and even a "World Series of Beer Pong".

This Legislature further finds and determines that many of these drinking game products are sold at retail stores and malls throughout Suffolk County and, as such, are readily accessible to minors.

This Legislature determines that drinking games promote binge drinking, a behavior that should be discouraged, particularly among young people.

This Legislature also finds that binge drinking can lead to alcohol poisoning, a life threatening reaction to an alcohol overdose that can cause serious illness or even death.

This Legislature finds that people who begin drinking in their early teens are four times more likely to become dependant upon alcohol than those who begin drinking at the legal age.

This Legislature also determines that the brain development of adolescents can be negatively impacted by alcohol consumption.

This Legislature further determines that young people who abuse alcohol are more likely to engage in other risky behaviors, including experimentation with other drugs.

This Legislature finds that the sale of alcohol to persons under 21 years of age is prohibited by State Law; common sense dictates that the sale of drinking games to residents under the age of 21 should also be prohibited.

Therefore, the purpose of this law is to ban the sale of drinking games in Suffolk County to minors.

Section 2. Definitions.

As used in this law, the following terms shall have the meanings indicated:

- A) "DRINKING GAME" shall mean any board game, deck of cards, kit or other product that is manufactured and/or marketed as being used for a game in which beer or any other form of alcohol is consumed during the course of play, which includes, but is not limited to, Beer Pong, Beirut, Flip Cup, Quarters, and Kings.
- B) "MINOR" shall mean any natural person or individual under the age of twenty-one (21).
- C) "PERSON" shall mean any natural person, individual, corporation, unincorporated association, proprietorship, firm, partnership, joint venture, joint stock association, or other entity of business of any kind.

Section 3. Prohibitions.

No person shall sell or offer for sale drinking games to minors within the County of Suffolk.

Section 4. Penalties.

Any person who violates any provision of this law shall be subject to the imposition of a civil penalty of up to \$750, for a first violation, and up to \$1,500 for each subsequent violation. Each prohibited product sold shall constitute a separate violation.

Section 5. Enforcement.

This law shall be enforced by the Suffolk County Department of Health Services.

Section 6. Authority to Promulgate Rules and Regulations.

The Commissioner of the Suffolk County Department of Health Services is hereby authorized and empowered to promulgate such rules and regulations as he or she deems necessary to implement this law.

Section 7. Applicability.

This law shall apply to the sale of drinking games on or after the effective date of this law.

Section 8. Severability.

If any clause, sentence, paragraph, subdivision, section, or part of this law or the application thereof to any person, individual, corporation, firm, partnership, entity, or circumstance shall be adjudged by any court of competent jurisdiction to be invalid or unconstitutional, such order or judgment shall not affect, impair, or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section, or part of this law, or in its application to the person, individual, corporation, firm, partnership, entity, or circumstance directly involved in the controversy in which such order or judgment shall be rendered.

Section 9. SEQRA Determination.

This Legislature, being the State Environmental Quality Review Act (SEQRA) lead agency, hereby finds and determines that this law constitutes a Type II action pursuant to Section 617.5(c)(20), (21), and/or (27) of Title 6 of the NEW YORK CODE OF RULES AND REGULATIONS (6 NYCRR) and within the meaning of Section 8-0109(2) of the NEW YORK ENVIRONMENTAL CONSERVATION LAW as a promulgation of regulations, rules, policies, procedures, and legislative decisions in connection with continuing agency administration, management and information collection. The Suffolk County Council on Environmental Quality (CEQ) is hereby directed to circulate any appropriate SEQRA notices of determination of non-applicability or non-significance in accordance with this law.

Section 10. Effective Date.

This law shall take effect sixty (60) days after its filing in the Office of the Secretary of State.

DATED: April 27, 2010

APPROVED BY:

/s/ Steve Levy
County Executive of Suffolk County

Date: May 21, 2010

After a public hearing duly held on May 10, 2010
Filed with the Secretary of State on June 11, 2010