

to stop all fraudulent identification but only that which would be delivered to somebody under the age of twenty and ~~old~~ for the purpose of trying to obtain alcoholic beverages. So if fraudulent identification were presented to another person who was older than 20, no problem. If it is to be used for a purpose other than obtaining alcoholic beverage, no problem. But here is an additional difficulty with it. The person would alter it for the purpose of delivery or sale. The law does not require an actual delivery nor an actual sale. A person could be found with this piece of identification and brought under a charge simply for having it ~~and~~ an effort could be made to prove what that person's purpose in having altered it was. I think that is too vague and too open-ended for a criminal statute which is what we are dealing with. Then if you go to line nine you see where it mentions the part about the person under 20 years of age. I mention that for the sake of the record. Now if we go down to lines 23 through 26 we have a definition, form of identification is defined as "any card, paper or legal document that may be used to establish the age of the person named thereon for the purpose of purchasing alcoholic liquors." Now it doesn't say again that the identification must be used for that purpose. It doesn't have to actually be used for the problem to come into existence. Having it for that purpose is the form of identification which is being made illegal. But, how do you determine whether it is for that purpose, if it may be so used? By using this kind of language you are leaving it up to the discretion of whoever would look at this piece of identification. If you have a thousand people 999 of them would look at this piece of identification and say, that wouldn't fool me at all. It could be something written on a paper sack or it could be a baptismal certificate or a purported highschool diploma or any piece of paper or any card. If the person has it and it may be used for establishing age, then the problem has been brought into existence. I don't even see the use of the word "reasonable" anywhere in this statute that the identification would cause a reasonable person to believe that it is what it purports to be. But, even if you would have that term reasonable I don't think that would save the bill because the definition is too vague, it is too open-ended, and it leaves a determination of whether an offense has been committed or can be committed to the intelligence level of whoever may have had this purported piece of identification presented to him or her. Now, I say again, the penalty is mandatory, for first offense there is a minimum mandatory sentence of twenty-four hours in jail or a hundred dollar