

THE THIRTIETH LEGISLATURE OF AMERICAN SAMOA

Third Regular Session

Begun and held at Fagatogo, Tutuila, American Samoa  
on Monday, the fourteenth day of January  
two thousand and eight

AN ACT PROHIBITING UNDERAGE PERSONS FROM CONSUMING OR POSSESSING BEER OR OTHER ALCOHOLIC BEVERAGES; PROHIBITING CONSUMPTION OR POSSESSION OF SUCH BEVERAGES IN CERTAIN PLACES; AND PROVIDING PENALTIES AND PROCEDURES FOR VIOLATIONS; AMENDING SECTION 27.0532 A.S.C.A.

BE IT ENACTED BY THE LEGISLATURE OF AMERICAN SAMOA:

**Section 1. 27.0532 is amended to read:**

**“27.0532 Prohibited places of consumption—Persons in possession—  
Penalty.**

**(a) It is unlawful to consume beer or an alcoholic beverage, or to be in possession of an unsealed container containing beer or an alcoholic beverage, in any of the following places in American Samoa:**

**(1) public roads;**  
**(2) moving vehicles;**  
**(3) any public place on or within fifty (50) feet of the business premises holding a store license, other than establishments holding an alcoholic beverage, club or beer tavern license;**

**(4) any public place in any village in American Samoa which has by village regulation prohibited the consumption of beer or alcoholic beverages or the possession of unsealed containers containing beer or alcoholic beverages;**

**(5) in or around public school buildings or upon school grounds, which shall include school parking lots;**

**(6) public bus stops and shelter areas;**

**(7) public sidewalks adjacent to public highways.**

**(b) ~~Any person violating this section shall be fined in an amount not exceeding \$100, or imprisoned at hard labor for not more than 60 days, or both. A person under the age of twenty-one (21) years may not possess or consume beer or any other alcoholic beverage.~~**

(c) A violation of this section shall be punishable as a class B misdemeanor.

(d) The Department of Public Safety, in conjunction with the Attorney General's Office shall adopt a pro-arrest, pro-prosecution policy for persons who violate this section, and shall cooperate with the Alcohol Beverage Control Board to enforce and prosecute violations of all other provisions of this chapter."

*Lolo M. Moliga*  
LOLO M. MOLIGA  
President of the Senate

*Savali Talavou Ale*  
SAVALI TALAVOU ALE  
Speaker, House of Representatives

Hereby Approved this *25<sup>th</sup>* day of *April* 20 *08*  
*Lolo M. Moliga*  
Governor of American Samoa

## NOFOA'IGA TOLUSEFULU FONOFAITULAFONO A AMERIKA SAMOA

## FONO TELE LONA TOLU

Nofoa ma usuia i Fagatogo, Tutuila, Amerika Samoa  
 Aso Gafua, aso sefulufa o Ianuari  
 lua afe ma le valu

O SE TULAFONO E FA'ASAINA AI TAGATA E I LALO IFO O TAUSAGA FA'ATULAFONOINA MAI LE TAUMAFAINA PO'O LE TAUAAOINA O PIA PO'O ISI MEAINU MALOSI I NISI O NOFOAGA; MA AIAIÄ FA'ASALAGA MA TAUALUMAGA MO SOLIGATULAFONO; SUIA AI LE MAGA 27.0532 T.T.A.S.

IA FA'ATULAFONOINA E LE FONOFAITULAFONO A AMERIKA SAMOA:

**Maga 1. 27.0532 ua suia e faitauina:**

**“27.0532 Nofoga fa'asaina e taumafa ai—Tagata e tauaaoina—Fa'asalaga.**

(a) Ua le talafeagai ai ma le tulafono ona taumafa pia po'o se meainu malosi, po'o le tauaaoina fo'i o se fagu/'apa o lo'o iai se pia po'o se meainu malosi, i so'o se tasi o nofoaga ua ta'ua i lalo i totonu o Amerika Samoa.

(1) auala ole malo;

(2) i totonu o ta'avale feoa'i;

(3) so'o se nofoaga faitele i luga po'o i totonu o le limasefulu (50) futu mai le nofoaga o se pisinisi o lo'o umia se laisene pisinisi, ese mai pisinisi o lo'o tauaaoina se laisene o meainu malosi, kalapu po'o falepia;

(4) so'o se nofoaga faitele i so'o se afio'aga i totonu o Amerika Samoa ua fa'asaina e ala i tulafono fa'alenu'u le taumafaina o pia po'o meainu malosi po'o le tauaaoina fo'i o fagu/'apa o lo'o iai pia po'o meainu malosi;

(5) i totonu po'o le si'omaga o falea'oga a le malo po'o i luga o fanua o a'oga, ma e aofia ai fo'i ma paka a a'oga;

(6) nofoga mo tagata lautele e fa'atali ai pasi ma fale fa'atali ai auala;

(7) aualasavali mo tagata lautele e feso'ota'i ma aualatele a le malo.

(e) ~~O so'o se tagata e solia lenei maga o le a fa'asalatupe i se aofa'iga e le sili ma le \$100, pe falepuipui e galue mamafa e le sili atu nai le 60 aso, po'o fa'asalaga uma e lua. O se tagata e i lalo ifo ona tausaga i leluasefulu-tasi (21) e le mafai ona tauaaoina pe taumafa se pia po'o so'o se isi meainu malosi.~~

(i) O se soliga o lenei maga o le a fa'asalaina o se vaega E o soligatulafono māmā.

(o) O le Matagaluega o le Saogalemu Lautele, e galulue fa'atasi ma le Ofisa o le Loia Sili e fa'amaonia se tulafono o le mua'i-fa'apagotaina ma mua'i-

moliga mo tagata e solia lenei maga, ma o le a galulue fa'atasi fo'i ma Komiti e Pulea le 'Ava Malosi e fa'amalosia ma molia solitulafono o isi aiaiga uma o lenei mata'upu."

*Lolo M. Moliga*  
LOLO M. MOLIGA  
Peresetene, Maota Maualuga

*Savali Talavou Ale*  
SAVALI TALAVOU ALE  
Fofoga Fetalai, Maota o Sui

Hereby Approved this 25<sup>th</sup> day of April 2068  
*[Signature]*  
Governor Of American Samoa