



University  
of Phoenix®

# Campus Safety Policies

## Alcohol & Drug Abuse Prevention



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## Policies and Programs Concerning Alcohol and Drugs

University of Phoenix (UOPX) abides by federal Drug-Free Workplace Act and Drug-Free Schools and Communities Act regulations, regardless of individual state policies. UOPX prohibits the use, sale, possession, or distribution of illicit alcohol and drugs on University Controlled Property<sup>1</sup> or at a UOPX function and complies with state underage drinking laws. (Note: the legal drinking age in the United States is 21 and over.) Misconduct violations relating to our Student Code of Conduct, Faculty Code of Conduct, related employee alcohol and drug abuse prevention policies, and Code of Ethics are subject to disciplinary sanctions. Consequences UOPX may impose for inappropriate behavior can be severe, up to and including dismissal from the University. If an individual is found violating any alcohol or drug related law while on University Controlled Property or at a UOPX function, UOPX will fully cooperate with federal, state, and local law enforcement agencies, as appropriate.

UOPX has established the following activities to generate awareness, prevent misconduct, and provide assistance in the event of alcohol and drug abuse:

- All new students must acknowledge the [Academic Catalog](#), which includes Alcohol and Drug Abuse Prevention, the Student Code of Conduct, and other Prohibited Conduct
- Each year, all students, faculty, and staff receive notifications informing them of the location of [Campus Safety Policies](#) and the University's [Consumer Information Guide](#)
- [Campus Safety Policies](#), specifically this Drug & Alcohol Abuse Prevention policy and the Sexual Violence Prevention policy, are available to all students, faculty, and staff on the public University website or upon request
- Students, faculty, and staff are encouraged to report instances of alcohol and other drug abuse:
  - Students can report concerns to faculty members, the local Campus Safety Coordinator, or on their end of course surveys
  - Faculty can report concerns to Academic Affairs, the local Campus Safety Coordinator, or on their end of course surveys
  - Staff, including faculty, can report concerns to their immediate supervisors or Human Resources
- Students, faculty, staff, visitors, or business partners can report concerns to the [Ethics Helpline](#) at (888) 310-9569 or online at <http://www.UOPXhelpline.com>
- Alcohol-related advertising or promotions are not permitted on-campus
- The local [Campus Safety Coordinator](#) maintains a list of local treatment facilities as well as alcohol and drug abuse counseling resources for individuals and their family members
- Employee benefits and student assistance programs offer resources to assist with alcohol and drug addiction related issues
- The University conducts a biennial review of its alcohol and drug abuse prevention program to:
  - Determine its effectiveness and implement changes to the program if they are needed
  - Ensure that its disciplinary sanctions are consistent and enforced

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<sup>1</sup> Land and/or in buildings owned, leased, or under the control of UOPX or its affiliated or related entities.



## Alcohol and Drug Abuse Prevention and Assistance

Every UOPX location offers sexual assault awareness and prevention training annually to students, faculty, and staff, including information about how alcohol and drugs can be a contributing factor in sexual assault. Please contact the Campus Safety Coordinator for information on where and when this educational event will occur. Students have direct access to this training from the Policy and Compliance link on [MyPhoenix](#). In addition to the information provided in these offerings, UOPX provides the following prevention and assistance resources.

### *Student Resources*

UOPX offers substance abuse and various counseling services to all currently enrolled students via the Life Resource Center, directly accessible from the student [MyPhoenix](#) website. The Life Resource Center offers no-cost, confidential services available 24/7/365 by calling (844) 492-0546. Services include:

- The Online Counseling Center to get short-term counseling on issues including managing stress, relationship issues, family concerns, substance abuse, grief, trauma, loss, anxiety, and depression
- Life coaches to assist in areas such as time management, work-life balance, managing change, transitions, and stress

### *Employee Resources*

UOPX provides an Employee Assistance Program (EAP) administered by Uprise Health as an employee benefit. All employees have access to the EAP whether they obtain other benefits through UOPX. Information about the EAP program is available at <https://uopx.uprisehealth.com/> (enter access code UOPX) or by calling (800) 395-1616. This benefit provides referral services and treatment sessions as needed. Calls and online inquiries are tracked by category. Employees enrolled in health care plans can obtain added substance abuse benefits, including outpatient and inpatient services, through providers contracted with their health care plan.

UOPX also provides a mental wellness benefit, Ginger, for employees and their dependents age 13 and older. Ginger is an emotional support app that supplies emotional support at the right time, including confidential coaching via text-based chats, self-guided activities, and video-based therapy and psychiatry—all from the privacy of a smartphone. Ginger coaches are available 24/7 and work as a team to ensure personalized care when it's needed.

### *National Resources*

We encourage *anyone* dealing with substance abuse issues (not just our employees and students) to also contact national agencies for guidance and assistance in identifying a counseling, treatment, or rehabilitation program. You are not alone. Support is always available with confidentiality and discretion.

- Al-Anon Family Groups (888) 4AL-ANON (425-2666) <https://al-anon.org/>
- Alcoholics Anonymous <http://www.aa.org/>
- Cocaine Anonymous <https://ca.org/>



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- Narcotics Anonymous <https://www.na.org/>
- National Institute on Alcohol Abuse and Alcoholism <https://www.niaaa.nih.gov/>
- National Institute on Drug Abuse (800) 662-HELP (662-4357) <https://nida.nih.gov/>
- Recovered (855) 648-7228 <https://recovered.org/>
- Substance Abuse and Mental Health Services Administration (SAMHSA) <https://findtreatment.gov/>

Even if you do not want to speak with a counselor or referral service, you may also access the following free informational and educational videos to further educate yourself on alcohol and other drug abuse:

- <https://www.getsmartaboutdrugs.gov/>
- <https://www.justthinktwice.gov/>
- [https://www.aa.org/pages/en\\_US/videos-and-audios](https://www.aa.org/pages/en_US/videos-and-audios)
- <https://drugfree.org/>
- <https://www.operationprevention.com/>

## *Additional Resources*

The Campus Safety Coordinator can provide additional referral resources local to any UOPX campus.

The University's Security Operations Center (SOC) provides student, faculty, and staff support 24/7/365. To report information, call (866) 992-3301.

You may also contact local Silent Witness or Crime Stopper programs to report information.

Crime victims seeking professional counseling through a UOPX Counseling Skills Center will have their information kept in confidence. Even if a victim gives the professional counselor permission to release their identity, the counselor may only report the occurrence of the event itself to be included in the annual crime statistics, unless otherwise required by law.

## Health Risks of Alcohol and Drugs

The health consequences of drugs and alcohol depend on the frequency, duration, and the intensity of use and can include both physical and psychological effects. Overdose is a risk for all drugs. It can result in coma, convulsions, psychosis, or death. Combinations of certain drugs, such as alcohol and barbiturates, can be lethal. The purity and strength of doses of illegal drugs are uncertain.

Continued use of substances can lead to tolerance (requiring more and more of a drug to get the same effect), dependence (physical or psychological need), or withdrawal (painful, difficult, and dangerous symptoms when stopping the use of drugs). Long-term use of drugs can lead to malnutrition, organ damage, and psychological problems. The risk of AIDS and other diseases increases if drugs are injected.

The consumption of alcohol or drugs when pregnant may cause abnormalities in babies.



## *Physical and Psychological Dependence and Effects of Specified Drugs*

There is a vast array of health risks associated with chronic drug and alcohol use, including but not limited to: depression; liver and kidney disease; psychosis and impaired thinking; heart attack; seizures; stroke; high blood pressure; violent outbursts; paranoia; anxiety; and increased risk of birth defects and developmental issues during and after pregnancy. For more information about the health risks associated with alcohol and particular types of drugs, please visit <https://nida.nih.gov/research-topics/commonly-used-drugs-charts>.

## Standards of Conduct

UOPX prohibits the use, sale, possession, or distribution of illicit alcohol and drugs on University Controlled Property or at a UOPX function and complies with state underage drinking laws. (Note: the legal drinking age in the United States is 21 and over.) Additional standards of conduct for students and faculty are addressed in the Student Code of Conduct and Faculty Code of Conduct, respectively. Also, faculty and staff are subject to the Alcohol and Drug Abuse Prevention and related policies found in the internal Policy Library.

## *Sanctions UOPX will Impose for Alcohol and Drug Violations*

UOPX will fully cooperate with federal, state, and local law enforcement agencies regarding unlawful possession of drugs and the unlawful consumption of alcohol on University Controlled Property or at a UOPX function. Any member of the campus community found consuming or selling alcohol and illicit drugs on UOPX property is subject to disciplinary action, up to and including dismissal from UOPX.

## Federal Drug Laws and Penalties

**Denial of Federal Benefits (21 U.S.C. § 862)** A federal drug conviction may result in the loss of federal benefits, including school loans, grants, scholarships, contracts, and licenses. Federal drug trafficking convictions may result in denial of federal benefits for up to five years for a first conviction. Federal drug convictions for possession may result in denial of federal benefits for up to one year for a first conviction and up to five years for subsequent convictions, successful completion of a drug treatment program, including periodic testing, and appropriate community service, or any combination of the three.

**Forfeiture of Personal Property and Real Estate (21 U.S.C. § 853)** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties (21 U.S.C. § 841)** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe.

In the case of a controlled substance in schedule I or schedule II, GHB, or flunitrazepam, a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.



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In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university (21 U.S.C. § 860) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties (21 U.S.C. § 844)** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

## State Drug and Alcohol Statutes

Arizona (AZ)	
Category	Summary (Arizona Revised Statutes)
Possession of Marijuana	The possession, consumption, or purchase of marijuana for personal use, under certain circumstances by an individual of at least 21 years of age, is lawful. See A.R.S. § 36-2852. Possession of more than one ounce (but less than 2.5 ounces) or more than five grams (but less than 12.5 grams) of marijuana concentrate is a petty offense and, for a first violation, results in a fine of up to \$300; See A.R.S. § 36-2853; § 13-802. The possession, consumption, transportation or transport of marijuana by individuals under the age of 21 is illegal and can result in civil penalty of \$100 and drug education or counseling for a first or second offense; a third offense is a class 1 misdemeanor. A.R.S. § 36-2853. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i> Medical marijuana for certain conditions is allowed if the person possesses 2.5 ounces of usable marijuana. See A.R.S. § 36-2801.
Controlled Substances	Arizona statutes cover a wide range of offenses related to the possession and delivery of controlled substances. See A.R.S. §§ 13-3401 – 13-3423. Penalties vary widely based on the type and amount of substance(s) confiscated, and if multiple controlled substances are found, sentencing is tied to either the unlawful substance of the greatest proportionate amount or the unlawful substance constituting the highest class of offense. See A.R.S. §§ 13-3420 and 13-3401.  Felony sentences can carry fines of up to \$150,000, and the court may order a person convicted of a drug offense to pay an additional fine of at least \$1,000 for the first offense and at least \$2,000 for a second or subsequent offense. See A.R.S. §§ 13-801 and 13-821. The terms of imprisonment for a presumptive, minimum, maximum, mitigated, or



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## Arizona (AZ)

Category	Summary (Arizona Revised Statutes)
	<p>aggravated sentence for first offense felonies and are prescribed under A.R.S. § 13-702 and range from .33 years to 12.5 years.</p> <p>“Serious drug offenses,” patterns of violation/repeat offenses, and involvement in enterprises yielding a “significant source of income” each result in more severe penalties, including a prison sentence of no less than 25 years. See A.R.S. §§ 13-3410 and 13-803. Involving minors in drug offenses or selling to underage persons also enhances applicable penalties. See A.R.S. §§ 13-3409.</p>
Alcohol and Minors	<p>It is unlawful for a person under age 21 to buy, receive, have in their possession, or consume any “spirituous liquor.” See A.R.S. § 4-244. It is also a violation to sell, furnish, or give a person under age 21 alcohol. <i>Id.</i> A person under 21 who solicits another person to purchase, sell, give, or serve them alcohol is guilty of a Class 3 misdemeanor. See A.R.S. § 4-241.</p> <p>Any underage person who misrepresents their age by means of a fraudulent or false written instrument of identification or the identification of another person in an effort to induce someone to sell or serve them alcohol is guilty of a Class 1 misdemeanor. <i>Id.</i> If another person knowingly influences another to sell or serve alcohol to an underage person by misrepresenting the age of the minor, they are also guilty of a Class 1 misdemeanor. <i>Id.</i> Class 1 misdemeanors are punishable by up to six months in prison and fines up to \$2,500; class 3 misdemeanors are punishable by up to thirty days in prison and fines up to \$500. A.R.S. §§ 13-707; 13-802.</p>
Driving Under the Influence (DUI)	<p>A person is guilty of a DUI if the person drives under the influence of intoxicating liquor, any drug, a vapor releasing substance containing a toxic substance or any combination of liquor, drugs, or vapor releasing substances if the person is impaired to the slightest degree, has a blood alcohol concentration of 0.08 or more within two hours of driving or being in actual physical control of the vehicle and the alcohol concentration results from alcohol consumed either before or while driving, or while there is any drug (as defined by statute) or its metabolite in the person’s body. See A.R.S. § 28-1381. A person convicted of a DUI is guilty of a Class 1 misdemeanor (see sentences and fines above). See <i>id.</i></p>

## California (CA)

Category	Summary (California Code)
Possession of Marijuana	<p>It is legal for persons 21 years of age or older to smoke or ingest cannabis or cannabis products. Cal. Health &amp; Safety Code § 11362.1. It is legal for persons 21 years of age or older to possess, process, transport, purchase, obtain, or give away to persons 21 years of age or older without any compensation whatsoever, not more than 28.5 grams of cannabis not in the form of concentrated cannabis or not more than eight grams of cannabis in the form of concentrated cannabis, including as contained in cannabis products. <i>Id.</i></p> <p>Persons under 18 years of age who are found guilty of a first offense of possession of not more than 28.5 grams of cannabis, or not more than eight grams of concentrated cannabis, or both, will be required to complete four hours of drug education or counseling and up to 10 hours of community service over a period not to exceed 60 days. Cal. Health &amp; Safety Code § 11357. For a second offense or subsequent offense, persons under 18 years of age will be required to complete six hours of drug education or counseling and up to 20 hours of community service over a period not to exceed 90 days. <i>Id.</i> If the offender is at least 18 years of age but less than 21, a fine of not more than \$100 will be imposed. <i>Id.</i> If the offender is over 18 years of age and possesses more than 28.5 grams of cannabis, or more than eight grams of concentrated cannabis, or both, an imprisonment in a county</p>





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## California (CA)

Category	Summary (California Code)
	jail for a period of not more than six months and/or a fine of not more than \$500 will be imposed. <i>Id.</i> As the quantity of cannabis increases, the crime classification becomes more severe and related penalties increase. <i>Id.</i>
Controlled Substances	<p>California statutes cover a wide range of offenses related to delivering, selling, furnishing, transferring, possessing, or manufacturing controlled substances formerly classified as “narcotics” and “restricted dangerous drugs.” See Cal. Health &amp; Safety Code §§ 11350 – 11392.</p> <p>Penalties include prison sentences and monetary fines. See Cal. Health &amp; Safety Code §§ 11350 and 11377. These penalties vary widely by the type and amount of controlled substance confiscated, the number and type of prior convictions, and the intent of the individual to manufacture, sell, or use the drug. Involving a minor in any capacity—whether using or employing a minor, inducing a minor to violate provisions, selling or furnishing to a minor, or acting in locations where minors are present—is a distinct offense and will result in heightened penalties. See Cal. Health &amp; Safety Code §§ 11353 – 11354 and 11380.</p> <p>For example, a first-time drug offender found in possession of opiates (Schedule I substances) without a valid prescription may be punished by up to 1 year in jail, a fine of at least \$1,000, or community service. Cal. Health &amp; Safety Code § 11350. Possession of gamma hydroxybutyric acid (“date rape drug”) with intent to commit sexual assault is punishable by up to 3 years imprisonment. Cal. Health &amp; Safety Code § 11350.5; Cal. Penal Code § 1170.</p>
Alcohol and Minors	<p>Any person under 21 years of age who purchases any alcoholic beverage or consumes any alcoholic beverage in any on-sale premises is guilty of a misdemeanor punishable by a fine of \$250 and/or between 24 and 32 hours of community service. Cal. Bus. &amp; Prof. Code § 25658. Second or subsequent offenses are punishable by up to \$500 and/or between 36 and 48 hours of community service. <i>Id.</i></p> <p>A person who sells, furnishes, gives, or causes to be sold, furnished, or given away any alcoholic beverage to any person under 21 years of age is guilty of a misdemeanor, as is a minor who purchases or consumes any alcoholic beverage in any on-sale premises. <i>Id.</i> Furnishing an alcoholic beverage to any person under 21 years of age is punishable by a fine of \$1,000 and at least 24 hours of community service. <i>Id.</i> If the person under 21 years of age subsequently consumes the alcohol and causes great bodily injury or death to themselves or any other person, the person who furnished the alcohol will be imprisoned for a term between 6 months and 1 year and/or fined \$1,000. <i>Id.</i></p>
Driving Under the Influence (DUI)	<p>It is illegal to operate a vehicle with a blood alcohol content of 0.08 percent or more. Cal. Veh. Code § 23152. It is also illegal to operate a vehicle when addicted to the use of any drug unless the person is participating in an approved narcotic treatment program. <i>Id.</i> Violation of these provisions is a misdemeanor. See Cal. Veh. Code § 40000.15.</p> <p>Punishment for a first offense is between 96 hours to 6 months imprisonment, with at least 48 continuous hours, as well as a fine of \$390 to \$1,000. See Cal. Veh. Code § 23536.</p>

## Hawaii (HI)

Category	Summary (Hawaii Revised Statutes)
Possession of Marijuana	In Hawaii, a person commits the offense of promoting a detrimental drug in the third degree if the person knowingly possesses any marijuana or any Schedule V substance in any amount. Haw. Rev. Stat. § 712-1249(1). Promoting a detrimental drug in the third degree is a petty misdemeanor. § 712-1249(2). If the person is in possession of three



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## Hawaii (HI)

Category	Summary (Hawaii Revised Statutes)
	<p>grams or less of marijuana, it is punishable by a fine of \$130. <i>Id.</i> The court may sentence a person who has been convicted of a misdemeanor or a petty misdemeanor to imprisonment for a definite term to be fixed by the court and not to exceed 1 year in the case of a misdemeanor or 30 days in the case of a petty misdemeanor. § 706-663. As the amount of the marijuana increases, the crime classification becomes more severe and related penalties increase.</p> <p>A person with a qualifying debilitating medical condition may use cannabis for medical uses so long as they only possess an adequate supply for treatment and register with the department of health. §§ 329-122, 329-123.</p>
Controlled Substances	<p>Hawaii statutes cover offenses related to the “promotion” (meaning knowingly possessing, distributing, or manufacturing) of dangerous, harmful, or detrimental drugs in the first through third degrees. §§ 712-1241 – 712-1249.7. A “dangerous drug” is “any substance or immediate precursor defined or specified as a “Schedule I substance” or a “Schedule II substance” by chapter 329, or a substance specified in section 329-18(c)(14).” § 712-1240; see § 329-14 (defining Schedule I drugs to include certain opiates, hallucinogenic drugs, depressants, stimulants, and cannabinoids); § 329-16 (defining Schedule II drugs to include certain opiates, hallucinogenic drugs, depressants, stimulants, and immediate precursors to amphetamine, methamphetamine, phencyclidine, and fentanyl); § 329-18(c)(14) (“Gamma hydroxybutyric acid and its salts, isomers, and salts of isomers that are contained in a drug product for which an application has been approved under section 505 of the federal Food, Drug, and Cosmetic Act”).</p> <p>A person commits the offense of promoting dangerous drugs in the first degree when they possess at least one ounce of methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomers, or at least 1.5 ounces of any of the other dangerous drugs. § 712-1241(1)(a). Distribution in the first degree is defined as distributing (1) twenty-five or more “capsules, tablets, ampules, dosage units, or syrettes containing one or more dangerous drugs”; (2) one-eighth ounce or more of a substance containing methamphetamine, heroin, morphine, or cocaine or any of their respective salts, isomers, and salts of isomer; and/or (3) three-eighths ounce or more, containing any other dangerous drug. § 712-1241(1)(b). Promoting a dangerous drug in the first degree is a class A felony. § 712-1241(2). Penalties for promotion of controlled substances include imprisonment and monetary fines. §§ 706-659–706-664 (terms of imprisonment); §§ 706-640, 706-650 (applicable fines).</p> <p>Penalties vary widely by the type and amount of substance confiscated. Possession of one ounce or more of methamphetamine, heroin, morphine, or cocaine constitutes a class A felony and is punishable by a fine of up to \$53,000 and an indeterminate term of imprisonment of up to 20 years. §§ 712-1241, 706-659. Methamphetamine trafficking is a class A felony which carries an indeterminate term of imprisonment of twenty years with a mandatory minimum term of imprisonment of not less than two years and not greater than eight years and a fine not to exceed \$20,000,000, with enhanced penalties for repeat offenders. § 712-1240(3). Trafficking methamphetamine to a minor or manufacturing a controlled substance in the presence of a child under the age of 16 will result in more severe penalties. §§ 712-1240.7(1)(a), 712-1240.5. The use of firearms in certain felony offenses and repeat offenses also heighten the applicable penalties. §§ 706-659, 706.660.1, 706-606.5.</p>
Alcohol and Minors	<p>Promoting intoxicating liquor to a person under the age of 21 (which includes providing or purchasing liquor for consumption or use by any person under 21) is a misdemeanor. §§ 712-1250.5(4), 281-101.5. No minor shall falsify any identification or use any false identification or the identification of another person (real or fictitious) for the purpose of</p>



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## Hawaii (HI)

Category	Summary (Hawaii Revised Statutes)
	buying or attempting to buy liquor or obtaining employment to sell or serve liquor on licensed premises. § 281-101.5(c). Any minor who violates state laws prohibiting alcohol possession and use shall be subject to the jurisdiction of state family court. § 281-101.5(d). Any person between the ages of 18 and 21 who is in violation is guilty of a petty misdemeanor, and the person shall have their driver's license suspended for not less than one hundred and eighty days, in addition to other penalties permitted by law, at the court's discretion. § 281-101.5(d)(1).
Driving Under the Influence (DUI)	A blood alcohol content of greater than 0.08 percent while operating a vehicle is a violation. § 291E-61(a). For the first offense, a person will be sentenced to a 14-hour substance rehabilitation program, 1 year revocation of their driver's license and privilege to operate a vehicle, and one or more of the following: 72 hours of community service, 48 hours to 120 hours of imprisonment, and a \$250 to \$1,000 fine. § 291E-61(b)(1).

## Texas (TX)

Category	Summary (Texas Code Annotated)
Possession of Marijuana	<p>A Class B misdemeanor occurs if the amount of marijuana possessed is 2 ounces or less. A Class A misdemeanor occurs if the amount of marijuana possessed is between 2 ounces and 4 ounces. See Tex. Health &amp; Safety Code Ann. § 481.121(b). An individual adjudged guilty of a Class B misdemeanor will be punished by a fine not to exceed \$2,000, confinement in jail for a term not to exceed 180 days, or both. An individual adjudged guilty of a Class A misdemeanor will be punished by a fine not to exceed \$4,000, confinement in jail for a term not to exceed 1 year, or both. See Tex. Penal Code Ann. §§ 12.21 – 12.22. As the amount of marijuana increases, the crime classification becomes more severe and related penalties increase.</p> <p>Qualified medical professionals are authorized to prescribe low-THC cannabis (no more than .05%) to qualifying Texas residents with certain medical conditions. Tex. Occupations Code Ann. §§169.002-169.003.</p>
Controlled Substances	<p>Texas Health &amp; Safety Code Ann. §§ 481.101 – 481.141 cover a wide range of offenses related to controlled substances. Penalties for the possession and delivery of illegal drugs include prison sentences and monetary fines and vary widely by the type of drug, amount confiscated, and whether the individual possessed or manufactured/delivered the controlled substance. Trafficking controlled substances will result in more severe penalties.</p> <p>As an example, a person who possesses less than 28 grams of a controlled substance listed in Penalty Group 3 (i.e., anabolic steroids) is guilty of a Class A misdemeanor punishable by a fine not to exceed \$4,000, confinement in jail for up to 1 year, or both. Tex. Health &amp; Safety Code Ann. § 481.117; Tex. Penal Code Ann. § 12.21. A person who knowingly or intentionally possesses less than 1 gram of a controlled substance listed in Penalty Group 1 (i.e. opiates) or 1-B (i.e. fentanyl) is guilty of a state jail felony. A person found guilty will be subject to confinement in a state jail for any term of 180 days up to two years, and may be fined up to \$10,000. Tex. Health &amp; Safety Code Ann. § 481.115 and Tex. Penal Code Ann. § 12.35.</p> <p>It is a defense to prosecution under certain, defined circumstances if the actor was the first person to request emergency medical assistance in response to the possible overdose of another person or was the victim of a possible overdose for which emergency medical assistance was requested during an ongoing medical emergency. Tex. Health &amp; Safety Code Ann. § 481.117.</p>



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## Texas (TX)

Category	Summary (Texas Code Annotated)
Alcohol and Minors	<p>A minor who consumes alcohol outside the visible presence of the minor's adult parent/guardian or spouse is punishable by a fine of \$250 to \$2,000 and imprisonment for up to 180 days. The court may also impose penalties like community service, driver's license suspension, and education or treatment. See Tex. Alcoholic Beverage Code Ann. § 106.04. A minor may possess an alcoholic beverage while in the course and scope of the minor's employment. See Tex. Alcoholic Beverage Code § 106.05.</p> <p>An adult 21 years of age or older who is not a minor's parent/guardian or spouse is liable for damages proximately caused by the intoxication of a minor under the age of 18 if the adult served the minor or allowed the minor to be served alcoholic beverages that contributed to the minor's intoxication on the premises owned or leased by the adult. See Tex. Alcoholic Beverage Code Ann. § 2.02.</p> <p>A person may purchase an alcoholic beverage for or give an alcoholic beverage to a minor if the person is the minor's adult parent/guardian or spouse and is visibly present when the minor possesses or consumes the alcoholic beverage. See Tex. Alcoholic Beverage Code Ann. § 106.06(b).</p> <p>A minor commits an offense if the minor falsely states that he/she is 21 years of age or older or presents any document that indicates he/she is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. See Tex. Alcoholic Beverage Code Ann. § 106.07.</p>
Driving While Intoxicated (DWI)	<p>One is guilty of driving while intoxicated if he or she has a blood alcohol concentration of 0.08 percent or more. This is a Class B misdemeanor, with a minimum term of confinement of 72 hours. An offender can also be subject to fines, revocation/suspension of license, a vehicle interlock system, and educational programs. See Tex. Penal Code Ann. § 49 et seq. and Tex. Transp. Code Ann. § 524.022.</p>

*Note:* The laws here are taken directly from state statute, which, in some cases may not reflect gender inclusive terminology.