



Legal Sanctions for Illegal Use of Alcohol and Other Drugs

In accordance with federal regulations the following information is provided for all students. In addition to sanctions imposed by the University for a violation of the Alcohol Use Policy and the Drug Abuse Policy, a student may be subject to regulations of civil authorities. Various local, state and federal regulations prohibit the illegal use, possession and distribution of illicit drugs and alcohol. Penalties for violation of such statutes vary depending on the type of drug, the amount of the drug involved, the type of violation, and in the case of alcohol, the age of the persons involved. Detailed descriptions of legal penalties are available on the pages to follow and in the Substance Use & Recovery Services office. Additionally, for more information on the federal trafficking penalties associated with various controlled substances, please visit the Drug Enforcement Agency's website at https://www.dea.gov/sites/default/files/2018-06/drug_of_abuse.pdf#page=30.

The University reserves the right to refer students to court authorities for any behavior that is in violation of the law regardless of any sanctions imposed by the University.

Texas State Law

OFFENSE	CLASS/DEGREE	PUNISHMENT
Manufacture or delivery of controlled substance (drugs)	State Jail Felony to First Degree Felony	Minimum: Up to 2 years in jail and a fine of up to \$10,000 Maximum: 15 years to life in jail and a fine of up to \$250,000
Possession of a controlled substance	Class B Misdemeanor to First Degree Felony	Minimum: Up to 180 days in jail and a fine of up to \$2,000 or both Maximum: 15 years to life in jail and a fine of up to \$250,000
Possession or delivery of marijuana	Class B Misdemeanor to First Degree Felony	Minimum: 180 days in jail or a fine of up to \$2,000, or both Maximum: 5 years to life in jail and a fine of up to \$100,000
Driving while intoxicated (alcohol or other drugs or both)	Class B Misdemeanor Class A Misdemeanor if BAC is equal to or greater than .15 Third Degree Felony if 2 or more prior convictions	Minimum: Confinement of 72 hours unless driver had an open container of alcohol in his/her possession in which case the offense is a Class B misdemeanor with a minimum term of confinement of six days in jail. Maximum: 2 to 10 years in jail and a fine of up to \$10,000
Public intoxication	Class C Misdemeanor If under 21 years of age , Texas Alcoholic Beverage Code apply (Sections 106.071 and 106.115)	Fine up to \$500 Fine up to \$500 and attendance at an alcohol awareness program. Where the offender has previously been convicted twice for an alcohol-related offense by a minor, the punishment is a fine of \$250 to \$2,000, jail time of up to 180 days, community service of 8 to 40 hours, driver's license suspension for 30 to 180 days and attendance at an alcohol awareness program.
Purchase, consumption, or possession of alcohol by a minor	Class C Misdemeanor	Attendance at an alcohol awareness program, and when the person has been previously convicted twice for an alcohol-related offense by a minor, the punishment is a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement; community service of 8 to 40 hours; suspension of Texas Driver's License or permit for 30 to 180 days and attendance at an alcohol awareness program.
Sale of alcohol to a minor	Class A Misdemeanor	Fine up to \$4,000, up to one year in jail, or both, 180-day driver's license suspension
Purchase of alcohol for a minor or furnishing alcohol to a minor	Class B Misdemeanor	Fine up to \$2,000, up to 180 days in jail, or both
Misrepresentation of age by a minor to person selling or serving alcohol	Class C Misdemeanor	Attendance at an alcohol awareness program, and where the offender is a minor previously convicted twice for alcohol-related offenses, a fine of not less than \$250 or more than \$2000; confinement in jail for a term not to exceed 180 days; or both fine and imprisonment; community service of 8 to 40 hours; suspension of Texas Driver's License for 30 to 180 days and attendance at an alcohol awareness program.

Federal Law

OFFENSE	MINIMUM PUNISHMENT	MAXIMUM PUNISHMENT
Manufacturing, distribution or dispelling of illegal drugs	Imprisonment up to 3 years, and a fine of \$250,000, or both	Life imprisonment (no parole) and fine up to \$8 million (individual) or \$20 million (other)
Possession of illegal drugs	Imprisonment for up to 1 year and a fine of not less than \$1,000 or both	5 to 20 years imprisonment and fine of at least \$5,000 plus investigation/court costs
Distribution of drugs to a person under 21 years of age	Double the federal penalty for distribution of drugs	Triple the penalty for distribution of drugs