

139755

Department of Health and Human Services

OFFICE OF
INSPECTOR GENERAL

NCJRS

DEC 11 1992

ACQUISITIONS

YOUTH AND ALCOHOL:
LAWS AND ENFORCEMENT
COMPENDIUM OF STATE LAWS



Richard P. Kusserow
INSPECTOR GENERAL

OEI-09-91-00655

139755

**U.S. Department of Justice
National Institute of Justice**

This document has been reproduced exactly as received from the person or organization originating it. Points of view or opinions stated in this document are those of the authors and do not necessarily represent the official position or policies of the National Institute of Justice.

Permission to reproduce this ~~copyrighted~~ material has been granted by

Public Domain

~~US Dept. of Health & Human Services~~

to the National Criminal Justice Reference Service (NCJRS).

Further reproduction outside of the NCJRS system requires permission of the ~~copyright~~ owner.

TABLE OF CONTENTS

INTRODUCTION	1
MATRICES	4
Loopholes in State Laws	4
Penalties Against Vendors Who Sell Alcohol to Minors	7
Penalties Against Minors	9
Controlling Alcohol Sale and Distribution	16
Employment of and Sales by Minors	18
Dram Shop and Social Host Laws	20
Laws Prohibiting Adults From Aiding Minors	22
Creative Methods to Enforce Laws and Penalize Offenders	24
Limiting Sales Near Schools and Universities	26

INTRODUCTION

PURPOSE

This compendium presents State alcoholic beverage control laws relating to youth for all 50 States and the District of Columbia.

BACKGROUND

In response to public health concerns and the adverse health consequences of alcohol abuse, Surgeon General Antonia Novello requested that the Office of Inspector General (OIG) provide information on State alcohol laws pertaining to youth. These concerns mirror one of Department of Health and Human Services Secretary Louis Sullivan's goals which is to reduce the prevalence of alcohol problems among children and youth. This report is one in a series prepared by the OIG related to youth and alcohol.

Youth Alcohol Use

As reported in recent surveys, youth under the legal drinking age of 21 drink alcohol. In a June 1991 report, the OIG reported that 51 percent of the 20.7 million junior and senior high school students have had at least 1 drink within the past year. In addition, 8 million students drink weekly, 454,000 binge weekly, and 6.9 million purchase their own alcohol from stores.¹ According to the 1990 National High School Senior Survey, 89.5 percent of high school seniors have drunk alcohol at least once, and 32.2 percent have experienced a "binge" of five or more drinks in a row within the previous 2 weeks.²

State Alcoholic Beverage Control

Two directives have influenced greatly States' control of alcoholic beverages. First, Article XXI of the United States Constitution, which repealed prohibition, grants States "...control over whether to permit importation and sale of liquor and how to structure the liquor distribution system." Second, the National Minimum Drinking Age Act of 1984 requires each State to make purchase and public possession by persons under 21 years of age illegal or risk reduction in highway funds.

¹Office of Inspector General, Youth and Alcohol: A National Survey--Drinking Habits, Access, Attitudes, and Knowledge, June 1991, p.3.

²University of Michigan, Institute for Social Research, "Monitoring the Future: A Continuing Study of the Lifestyles and Values of Youth," January 1991.

In response to these mandates, States have developed unique liquor laws relating to youth. These laws may or may not address:

- ▶ **Sales to minors.** Prohibits vendors or any other persons from selling, giving, or otherwise providing alcohol to minors.
- ▶ **Purchase.** Prohibits or limits minors from obtaining alcohol from vendors or other sources.
- ▶ **Possession.** Generally prohibits or limits minors from carrying or handling alcohol. All State laws contain various exemptions, such as handling alcohol in the course of employment and possession with parental permission.
- ▶ **Consumption.** Prohibits or limits minors' actual drinking of alcoholic beverages.
- ▶ **Misrepresentation of age.** Provides for penalties against minors who present false identification or otherwise represent themselves as being of the legal purchase age.

In addition, States may regulate alcohol sale and distribution, establish advertising guidelines, and enact penalties for violators of these laws. State Alcoholic Beverage Control (ABC) agencies generally administer these laws.

METHODOLOGY

During July 1991, we reviewed all State alcohol control laws and regulations primarily pertaining to youth. We used the Commerce Clearing House Liquor Control Law Reporter, which continually tracks and updates State liquor control laws. To validate our information, we also used the National Highway Traffic Safety Administration Digest of State Alcohol-Highway Safety Related Legislation and the Distilled Spirits Council of the United States Summary of State Laws and Regulations Relating to Distilled Spirits. We did not verify the data with States.

In addition, we conducted interviews with ABC and/or State enforcement agency officials from 48 States and the District of Columbia. For Hawaii and Nevada, we interviewed officials from appropriate local enforcement agencies. We used structured discussion guides to obtain information about State laws, loopholes, enforcement, and creative practices.

DESCRIPTIONS OF MATRICES

The matrices on pages 5 and 6 provide an overview of the major laws and loopholes relating to minors and alcoholic beverages. The matrices on pages 8 through

14 detail the penalties associated with breaking these laws. The final 6 matrices, on pages 17 through 27, detail various issues relating to the distribution, sale, and regulation of alcoholic beverages.

In addition to presenting details about State laws, this report contains information previously reported in another OIG report, "Youth and Alcohol: Laws and Enforcement--Is the 21-Year-Old Drinking Age a Myth?" (OEI-09-91-00650). This report, which was also issued in September 1991, describes State laws and regulations governing youth access to alcohol and how these laws are enforced.

MATRICES

LOOPHOLES IN STATE LAWS

The matrices on pages 5 and 6 illustrate loopholes in State laws that allow underage drinking. Although all States prohibit vendors from selling to minors:

- ▶ 23 States do not make it illegal for a minor to *attempt to purchase*;
- ▶ 6 States have no laws against minors who *purchase* alcohol;
- ▶ 2 States have no laws banning or limiting minors from *possessing* alcohol. Thirty-five States have exceptions, other than relating to employment, that allow minors to possess alcohol. Most commonly, minors may possess with parental permission or in private settings. Some States make it illegal only if the minors intend to consume the alcohol;
- ▶ 21 States have no laws that make *consumption* by minors specifically illegal, although the minor may be charged under possession laws; and
- ▶ 16 States have no laws prohibiting minors from deliberately *misrepresenting their age* to obtain alcohol. Nineteen States have no laws prohibiting minors from *presenting false identification documents (ID)*. Five States have neither prohibition. Some ABC officials stated that their misrepresentation of age provisions make it illegal for minors to attempt to purchase alcohol. However, seven States have no provisions for misrepresentation of age or attempting to purchase.

STATES	LOOPHOLES IN STATE LAWS			
	SALE ¹	ATTEMPT ²	PURCHASE ³	POSSESS ⁴
ALABAMA	21	21	21	21
ALASKA	21	NO STATUTE	21	21 / A,C
ARIZONA	21	21	21	21 / D
ARKANSAS	21	NO STATUTE	21	21
CALIFORNIA	21	21	21	21 / B
COLORADO	21	21	21	21 / B
CONNECTICUT	21	21	21	21 / A,B,C
DELAWARE	21	NO STATUTE	NO STATUTE	21 / A,D
D.C.	21	NO STATUTE	NO STATUTE	NO STATUTE
FLORIDA	21	NO STATUTE	NO STATUTE	21
GEORGIA	21	NO STATUTE	21	21 / A
HAWAII	21	NO STATUTE	21	21 / B,D
IDAHO	21	21	21	21
ILLINOIS	21	NO STATUTE	21	21 / A,B,D
INDIANA	21	21	21	21
IOWA	21	NO STATUTE	21	21 / A,C
KANSAS	21	21	21	21 / A
KENTUCKY	21	21	21	21
LOUISIANA	21	NO STATUTE	21	21 / A,B,C,D
MAINE	21	NO STATUTE	21	21 / A
MARYLAND	21	NO STATUTE	21	21 / A
MASSACHUSETTS	21	21	21	21 / A
MICHIGAN	21	NO STATUTE	21	21 / C,E
MINNESOTA	21	21	21	21 / A,E
MISSISSIPPI	21	NO STATUTE	21	21 / A,B
MISSOURI	21	21	21	21
MONTANA	21	NO STATUTE	NO STATUTE	21 / A,C,D
NEBRASKA	21	21	21	21 / B
NEVADA	21	NO STATUTE	21	21 / A,B,C,D
NEW HAMPSHIRE	21	NO STATUTE	NO STATUTE	21
NEW JERSEY	21	21	21	21
NEW MEXICO	21	21	21	21 / A
NEW YORK	21	NO STATUTE	NO STATUTE	21 / A,E
NORTH CAROLINA	21	21	21	21
NORTH DAKOTA	21	21	21	21 / A,D
OHIO	21	21	21	21 / A,C,D
OKLAHOMA	21	21	21	21 / A,B,E
OREGON	21	21	21	21 / A
PENNSYLVANIA	21	21	21	21
RHODE ISLAND	21	21	21	21
SOUTH CAROLINA	21	NO STATUTE	21	21 / A,B,D
SOUTH DAKOTA	21	21	21	21 / D
TENNESSEE	21	21	21	21
TEXAS	21	NO STATUTE	21	21 / A
UTAH	21	NO STATUTE	21	21
VERMONT	21	NO STATUTE	21	21 / E
VIRGINIA	21	NO STATUTE	21	21 / C
WASHINGTON	21	21	21	21 / A,C
WEST VIRGINIA	21	21	21	NO STATUTE
WISCONSIN	21	21	21	21 / A
WYOMING	21	21	21	21 / A,B

1-SALE: PROHIBITS VENDORS FROM SELLING TO MINORS.

2-ATTEMPT: PROHIBITS OR LIMITS MINORS FROM ATTEMPTING TO OBTAIN ALCOHOL FROM VENDORS.

3-PURCHASE: PROHIBITS OR LIMITS MINORS FROM OBTAINING ALCOHOL FROM VENDORS.

4-POSSESS: PROHIBITS MINORS FROM CARRYING OR HANDLING ALCOHOLIC BEVERAGES.

EXCEPTIONS TO POSSESSION LAW:
A-PARENT, GUARDIAN, AND/OR SPOUSE
B-PRIVATE POSSESSION
C-MEDICINAL
D-RELIGIOUS
E-ILLEGAL TO POSSESS FOR CONSUMPTION

STATES	LOOPHOLES IN STATE LAWS		
	CONSUME ¹	MISREPRESENT AGE ²	PRESENT FAKE ID ³
ALABAMA	21	YES	NO STATUTE
ALASKA	21	YES	YES
ARIZONA	21	NO STATUTE	YES
ARKANSAS	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
CALIFORNIA	21	.... NO STATUTE	YES
COLORADO	.... NO STATUTE	YES	.... NO STATUTE
CONNECTICUT	.... NO STATUTE	YES	YES
DELAWARE	21	YES	.... NO STATUTE
D.C.	21	YES	.... NO STATUTE
FLORIDA	.... NO STATUTE	YES	YES
GEORGIA	.... NO STATUTE	YES	YES
HAWAII	.... NO STATUTE ....	.... NO STATUTE	YES
IDAHO	21	YES	YES
ILLINOIS	21	YES	YES
INDIANA	21	YES	YES
IOWA	.... NO STATUTE	YES**	.... NO STATUTE
KANSAS	21	.... NO STATUTE ....	.... NO STATUTE
KENTUCKY	.... NO STATUTE	YES	YES
LOUISIANA	.... NO STATUTE	NO STATUTE	NO STATUTE
MAINE	21	NO STATUTE	YES
MARYLAND	21	YES	NO STATUTE
MASSACHUSETTS	.... NO STATUTE	YES	YES
MICHIGAN	21	.... NO STATUTE	YES
MINNESOTA	21	YES	.... NO STATUTE
MISSISSIPPI	.... NO STATUTE	YES	YES
MISSOURI	.... NO STATUTE	YES	YES
MONTANA	21	YES	NO STATUTE
NEBRASKA	.... NO STATUTE	YES	YES
NEVADA	21	YES	YES
NEW HAMPSHIRE	.... NO STATUTE	YES	YES
NEW JERSEY	21*	YES	NO STATUTE
NEW MEXICO	.... NO STATUTE ....	.... NO STATUTE	YES
NEW YORK	21*	.... NO STATUTE	YES
NORTH CAROLINA	.... NO STATUTE ....	.... NO STATUTE	YES
NORTH DAKOTA	21	YES	YES
OHIO	21	YES	YES
OKLAHOMA	21	.... NO STATUTE	YES
OREGON	.... NO STATUTE	YES	NO STATUTE
PENNSYLVANIA	21	YES	NO STATUTE
RHODE ISLAND	21*	YES	YES
SOUTH CAROLINA	.... NO STATUTE	YES	.... NO STATUTE
SOUTH DAKOTA	21	.... NO STATUTE	YES
TENNESSEE	21	YES	YES
TEXAS	21	YES	YES
UTAH	21	YES	NO STATUTE
VERMONT	21	YES	YES
VIRGINIA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
WASHINGTON	21	.... NO STATUTE ....	.... NO STATUTE
WEST VIRGINIA	.... NO STATUTE	YES	YES
WISCONSIN	21	YES	.... NO STATUTE
WYOMING	NO STATUTE	NO STATUTE	YES

*ILLEGAL TO CONSUME IN LICENSED ESTABLISHMENT

**ONLY PERTAINS TO PERSONS UNDER 19 YEARS OF AGE

1-CONSUME: PROHIBITS OR LIMITS MINORS FROM ACTUALLY DRINKING ALCOHOLIC BEVERAGES

2-MISREPRESENT AGE: PROHIBITS MINORS FROM MISREPRESENTING THEIR AGE (NOT LIMITED TO FALSE ID) FOR THE PURPOSES OF OBTAINING ALCOHOL

3-PRESENT FALSE ID: PROHIBITS MINORS FROM PRESENTING FALSE ID TO OBTAIN ALCOHOL

PENALTIES AGAINST VENDORS WHO SELL ALCOHOL TO MINORS

As shown on the matrix on the following page, vendors face various criminal and administrative penalties if they are caught selling alcohol to a minor. Criminal penalties result from violating State criminal codes and local ordinances. Administrative penalties result from violating State and/or local license requirements.

All States allow vendors and their employees to be charged criminally if convicted of selling alcohol to a minor. These fines range from \$50 to \$10,000 and/or 5 years in jail.

Most States also allow ABCs to levy administrative penalties against vendors. For the first offense, these penalties range from a \$50 fine to a \$5,000 fine or a 6-month license suspension. Iowa does not levy administrative penalties against vendors who sell to 19- or 20-year-olds.

As discussed in the OIG report "Youth and Alcohol: Laws and Enforcement--Is the 21-Year-Old Drinking Age a Myth?", State officials acknowledged that enforcement difficulties, lenient courts, and the availability of optional, alternative vendor penalties limits the overall effectiveness of strict laws and penalty provisions.

STATES	PENALTIES AGAINST VENDORS			
	CRIMINAL		ADMINISTRATIVE	
	FINE	JAIL****	FINE	SUSPEND/REVOKE
ALABAMA	\$500		MAX \$1000	EITHER
ALASKA	MAX \$5000	12 MOS		SUSPEND
ARIZONA	MAX \$2500	6 MOS	\$200-\$300*	EITHER
ARKANSAS	\$200-\$500			
CALIFORNIA	MIN \$250			
COLORADO	MAX \$5000	12 MOS	IN LIEU OF*	SUSPEND
CONNECTICUT	MAX \$1500	18 MOS		SUSPEND
DELAWARE	MAX \$100			
D.C.	MAX \$1000	12 MOS	\$1000-\$2000	SUSPEND
FLORIDA	\$500	2 MOS	YES	EITHER
GEORGIA	MAX \$1000	12 MOS		
HAWAII	MAX \$1000	6 MOS	YES	EITHER
IDAHO	\$100-\$300	1-6 MOS	IN LIEU OF*	EITHER
ILLINOIS	MAX \$1000	12 MOS		
INDIANA	MAX \$500	2 MOS	YES	SUSPEND
IOWA	\$100-\$1000/\$50***	12 MOS/NONE***	\$300/NONE***	EITHER/NONE***
KANSAS	MIN \$200		YES	EITHER
KENTUCKY	\$100-\$200	6 MOS		
LOUISIANA	MAX \$300/\$50**	6 MOS/NONE**	\$50-\$500*/NONE**	SUSPEND/NONE**
MAINE	MAX \$500		\$50-\$1500*	EITHER
MARYLAND	MAX \$1000	24 MOS	MAX \$2000	SUSPEND
MASSACHUSETTS	MAX \$2000	6 MOS		EITHER
MICHIGAN	MAX \$500	6 MOS		
MINNESOTA	MAX \$3000	12 MOS	MAX \$2000	EITHER
MISSISSIPPI	\$500-\$1000			EITHER
MISSOURI	\$50-\$1000	12 MOS		EITHER
MONTANA	MAX \$500	6 MOS	MAX \$1500	EITHER
NEBRASKA	MAX \$1000	12 MOS	IN LIEU OF*	EITHER
NEVADA	MAX \$1000	6 MOS		
NEW HAMPSHIRE	MAX \$1000	12 MOS	\$100-\$5000	EITHER
NEW JERSEY	\$100-\$1000	1-3 MOS		EITHER
NEW MEXICO	MAX \$500	6 MOS	YES	EITHER
NEW YORK				
NORTH CAROLINA	FINE	24 MOS	MAX \$5000*	EITHER
NORTH DAKOTA	MAX \$1000	12 MOS		
OHIO	MAX \$1000	6 MOS	IN LIEU OF*	EITHER
OKLAHOMA	\$2500 TO \$5000	60 MOS		REVOKE
OREGON	MIN \$350		\$455	SUSPEND
PENNSYLVANIA	MAX \$1000		\$1000-\$5000	EITHER
RHODE ISLAND	\$250		MAX \$500	EITHER
SOUTH CAROLINA	\$100-\$200	1-2 MOS	\$25-\$1000	EITHER
SOUTH DAKOTA	MAX \$1000/\$100**	12 MOS/1 MO**		
TENNESSEE	MAX \$2500	11 MOS, 29 DAYS		
TEXAS	\$100-\$500	12 MOS	IN LIEU OF*	EITHER
UTAH	MAX \$2500	12 MOS		EITHER
VERMONT	\$200-\$1000	24 MOS	MAX \$2500*	EITHER
VIRGINIA	MAX \$2500	12 MOS		EITHER
WASHINGTON	MAX \$10000	60 MOS		EITHER
WEST VIRGINIA			MAX \$1000	EITHER
WISCONSIN	MAX \$500			EITHER
WYOMING	MAX \$750	6 MOS		EITHER

BLANK SPACES INDICATE THAT PENALTIES EXIST BUT ARE NOT SPECIFIED IN CCHS LAWS AND REGULATIONS

*FINES, SPECIFIED OR UNSPECIFIED, MAY BE PAID IN LIEU OF SUSPENSION

**PENALTIES LISTED ARE FOR SELLING TO PERSONS 17 AND UNDER/18 TO 20 YEARS OLD

***PENALTY'S LISTED ARE FOR SELLING TO PERSONS 18 AND UNDER/19 TO 20 YEARS OLD

****JAIL TERMS LISTED ARE THE MAXIMUM ALLOWABLE

PENALTIES AGAINST MINORS

The following six matrices describe the penalties against minors who violate alcohol laws concerning:

- (1) **Attempt to purchase.** Penalties against minors who attempt to purchase alcohol from vendors range from a \$10 fine to a \$1,000 fine with a 1-year jail term.
- (2) **Purchase.** Penalties against minors who purchase alcohol from vendors range from a \$10 fine to a \$5,000 fine with a 1-year jail term.
- (3) **Possession.** Penalties against minors who are caught illegally carrying or handling alcoholic beverages range from a \$10 fine to a \$5,000 fine with a 1-year jail term.
- (4) **Consumption.** Penalties against minors caught drinking alcoholic beverages range from a \$25 fine to a \$5,000 fine with a 1-year jail term.
- (5) **Misrepresentation of age.** Penalties against minors who represent themselves as being of legal drinking age range from a \$10 fine to a \$5,000 fine with a 1-year jail term.
- (6) **False Identification.** Penalties against minors who use false ID to obtain alcohol range from a \$25 fine to a \$5,000 fine with a 1-year jail term.

STATES	PENALTIES AGAINST MINORS WHO ATTEMPT TO PURCHASE***		
	CLASS	FINE	JAIL TERM
ALABAMA	MISDEMEANOR	\$50-\$500	MAX 3 MOS
ALASKA	NO STATUTE	NO STATUTE	NO STATUTE
ARIZONA	CLASS 3-MISD	MAX \$500	MAX 30 DAYS
ARKANSAS	NO STATUTE	NO STATUTE	NO STATUTE
CALIFORNIA	INFRACTION	MAX \$100	
COLORADO	PETTY OFF/MISD*	\$25-\$100/\$250-\$1000*	NONE/3-12 MOS*
CONNECTICUT		\$200-\$500	
DELAWARE	NO STATUTE	NO STATUTE	NO STATUTE
D.C.	NO STATUTE	NO STATUTE	NO STATUTE
FLORIDA	NO STATUTE	NO STATUTE	NO STATUTE
GEORGIA	NO STATUTE	NO STATUTE	NO STATUTE
HAWAII	NO STATUTE	NO STATUTE	NO STATUTE
IDAHO	MISDEMEANOR	MAX \$100	
ILLINOIS	NO STATUTE	NO STATUTE	NO STATUTE
INDIANA	CLASS C-INFRAC	MAX \$500	NO STATUTE
IOWA	NO STATUTE	NO STATUTE	NO STATUTE
KANSAS	JUV/CLASS C-MISD**	\$100-\$500/\$100-\$500**	NONE/MAX 1 MONTH**
KENTUCKY		\$10-\$100	
LOUISIANA	NO STATUTE	NO STATUTE	NO STATUTE
MAINE	NO STATUTE	NO STATUTE	NO STATUTE
MARYLAND	NO STATUTE	NO STATUTE	NO STATUTE
MASSACHUSETTS		\$300	
MICHIGAN	NO STATUTE	NO STATUTE	NO STATUTE
MINNESOTA	MISDEMEANOR	MAX \$700	MAX 90 DAYS
MISSISSIPPI	NO STATUTE	NO STATUTE	NO STATUTE
MISSOURI	MISDEMEANOR	\$50-\$1000	MAX 1 YEAR
MONTANA	NO STATUTE	NO STATUTE	NO STATUTE
NEBRASKA	CLASS III-MISD	MAX \$500	MAX 3 MOS
NEVADA	NO STATUTE	NO STATUTE	NO STATUTE
NEW HAMPSHIRE	NO STATUTE	NO STATUTE	NO STATUTE
NEW JERSEY	DISORDERLY PERSON	\$100-\$1000	MAX 6 MOS
NEW MEXICO	PETTY MISD	MAX \$500	MAX 6 MOS
NEW YORK	NO STATUTE	NO STATUTE	NO STATUTE
NORTH CAROLINA	MISD/INFRACTION*	UNSPECIFIED/\$25*	MAX 2 YEARS/NONE*
NORTH DAKOTA	CLASS B-MISD	MAX \$500	MAX 30 DAYS
OHIO	1ST DEGREE-MISD	MAX \$1000	MAX 6 MOS
OKLAHOMA	MISDEMEANOR	MAX \$100	
OREGON	VIOLATION	MAX \$250	
PENNSYLVANIA		\$25-\$100	MAX 30 DAYS
RHODE ISLAND		\$100	
SOUTH CAROLINA	NO STATUTE	NO STATUTE	NO STATUTE
SOUTH DAKOTA	CLASS 2-MISD	MAX \$200	MAX 30 DAYS
TENNESSEE	MISDEMEANOR	\$25-\$500	30 DAYS-6 MOS
TEXAS	NO STATUTE	NO STATUTE	NO STATUTE
UTAH	NO STATUTE	NO STATUTE	NO STATUTE
VERMONT	NO STATUTE	NO STATUTE	NO STATUTE
VIRGINIA	NO STATUTE	NO STATUTE	NO STATUTE
WASHINGTON	MISDEMEANOR	\$250-\$1000	MAX 90 DAYS
WEST VIRGINIA	MISDEMEANOR	MAX \$50	MAX 72 HRS
WISCONSIN		\$250-\$500	
WYOMING	MISDEMEANOR	MAX \$750	MAX 6 MOS

BLANK SPACES INDICATE THAT INFORMATION IS NOT SPECIFIED IN CCH'S LAWS AND REGULATIONS
 *SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 19/19 TO 20
 **SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 18/18 TO 20. JUV-JUVENILE OFFENSE
 ***ATTEMPT TO PURCHASE: PROHIBITS OR LIMITS MINORS ATTEMPTING TO OBTAIN ALCOHOL FROM VENDORS

STATES	PENALTIES AGAINST MINORS WHO PURCHASE***		
	CLASS	FINE	JAIL TERM
ALABAMA	MISDEMEANOR	\$50-\$500	MAX 3 MOS
ALASKA	CLASS A-MISD	MAX \$5000	MAX 1 YEAR
ARIZONA	CLASS 1-MISD	MAX \$2500	MAX 6 MOS
ARKANSAS		\$10-\$500	
CALIFORNIA	MISDEMEANOR	\$250-\$1000	MAX 6 MOS
COLORADO	PETTY OFF/MISD*	\$25-\$100/\$250-\$1000*	NONE/3-12 MOS*
CONNECTICUT		\$200-\$500	
DELAWARE	NO STATUTE	NO STATUTE	NO STATUTE
D.C.	NO STATUTE	NO STATUTE	NO STATUTE
FLORIDA	NO STATUTE	NO STATUTE	NO STATUTE
GEORGIA	MISDEMEANOR	MAX \$300	MAX 30 DAYS
HAWAII	PETTY MISD	MAX \$1000	MAX 30 DAYS
IDAHO	MISDEMEANOR	MAX \$100	
ILLINOIS	CLASS C-MISD	MAX \$500	MAX 30 DAYS
INDIANA	CLASS C-INFRAC	MAX \$500	
IOWA	MISD/VIOLATION*	\$100/\$15*	MAX 1 MONTH/NONE*
KANSAS	JUV/CLASS C-MISD**	\$100-\$500/\$100-\$500**	NONE/MAX 1 MONTH**
KENTUCKY		\$10-\$100	
LOUISIANA		MAX \$300	MAX 10 DAYS
MAINE	CIVIL VIOLATION	\$100-\$300	
MARYLAND	MISDEMEANOR	MAX \$1000	MAX 2 YEARS
MASSACHUSETTS		\$300	
MICHIGAN		MAX \$25	
MINNESOTA	MISDEMEANOR	MAX \$700	MAX 90 DAYS
MISSISSIPPI	MISDEMEANOR	MAX \$100	
MISSOURI	MISDEMEANOR	\$50-\$1000	MAX 1 YEAR
MONTANA	NO STATUTE	NO STATUTE	NO STATUTE
NEBRASKA	CLASS III-MISD	MAX \$500	MAX 3 MOS
NEVADA	MISDEMEANOR	MAX \$1000	MAX 6 MOS
NEW HAMPSHIRE	NO STATUTE	NO STATUTE	NO STATUTE
NEW JERSEY	DISORDERLY PERSON	\$100-\$1000	MAX 6 MOS
NEW MEXICO	PETTY MISD	MAX \$500	MAX 6 MOS
NEW YORK	NO STATUTE	NO STATUTE	NO STATUTE
NORTH CAROLINA	MISD/INFRACTION*	UNSPECIFIED/\$25*	MAX 2 YEARS/NONE*
NORTH DAKOTA	CLASS B-MISD	MAX \$500	MAX 30 DAYS
OHIO	1ST DEGREE-MISD	MAX \$1000	MAX 6 MOS
OKLAHOMA	MISDEMEANOR	MAX \$100	
OREGON	VIOLATION	MAX \$250	
PENNSYLVANIA		\$25-\$100	MAX 30 DAYS
RHODE ISLAND		\$100	
SOUTH CAROLINA	MISDEMEANOR	\$100-\$200	MAX 30 DAYS
SOUTH DAKOTA	CLASS 2-MISD	MAX \$200	MAX 30 DAYS
TENNESSEE	CLASS A-MISD	MAX \$2500	MAX 11 MOS, 29 DAYS
TEXAS	MISDEMEANOR	\$25-\$200	
UTAH	CLASS B-MISD	MAX \$1000	MAX 6 MOS
VERMONT		MAX \$500	MAX 30 DAYS
VIRGINIA	CLASS 1-MISD	MAX \$2500	MAX 12 MOS
WASHINGTON	MISDEMEANOR	\$250-\$1000	MAX 90 DAYS
WEST VIRGINIA	MISDEMEANOR	MAX \$50	MAX 72 HRS
WISCONSIN		\$250-\$500	
WYOMING	MISDEMEANOR	MAX \$750	MAX 6 MOS

BLANK SPACES INDICATE THAT INFORMATION IS NOT SPECIFIED IN CCH'S LAWS AND REGULATIONS

*SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 19/19 TO 20

**SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 18/18 TO 20

***PURCHASE: PROHIBITS OR LIMITS MINORS FROM OBTAINING ALCOHOL FROM VENDORS

STATES	PENALTIES AGAINST MINORS WHO POSSESS		
	CLASS	FINE	JAIL TERM
ALABAMA	MISDEMEANOR	\$50-\$500	MAX 3 MOS
ALASKA	CLASS A-MISD	MAX \$5000	MAX 1 YEAR
ARIZONA	CLASS I-MISD	MAX \$2500	MAX 6 MOS
ARKANSAS	MISDEMEANOR	\$10-\$500	MAX 6 MOS
CALIFORNIA	PETTY OFF/MISD*	MAX \$1000	NONE/3-12 MOS*
COLORADO		\$25-\$100/\$250-\$1000*	
CONNECTICUT		\$200-\$500	
DELAWARE		\$100	
D.C.	NO STATUTE	NO STATUTE	NO STATUTE
FLORIDA	2ND DEGREE MISD	MAX \$500	MAX 60 DAYS
GEORGIA	MISDEMEANOR	MAX \$300	MAX 30 DAYS
HAWAII	PETTY MISD	MAX \$1000	MAX 30 DAYS
IDAHO	MISDEMEANOR	MAX \$100	
ILLINOIS	CLASS B-MISD	MAX \$500	MAX 6 MOS
INDIANA	CLASS C-MISD	MAX \$500	MAX 60 DAYS
IOWA	MISD/VIOLATION*	\$100/\$15*	MAX 30 DAYS/NONE*
KANSAS	JUV/CLASS C-MISD**	\$100-\$500/100-\$500**	NONE/MAX 1 MONTH**
KENTUCKY		\$10-\$100	
LOUISIANA		MAX \$50	
MAINE	CIVIL VIOLATION	\$100-\$300	
MARYLAND	MISDEMEANOR	MAX \$1000	MAX 2 YEARS
MASSACHUSETTS		MAX \$50	
MICHIGAN		MAX \$25	
MINNESOTA	MISDEMEANOR	MAX \$700	MAX 90 DAYS
MISSISSIPPI	MISDEMEANOR	MAX \$100	
MISSOURI	MISDEMEANOR	\$50-\$1000	MAX 1 YEAR
MONTANA		MAX \$50	
NEBRASKA	CLASS III-MISD	MAX \$500	MAX 3 MOS
NEVADA	MISDEMEANOR	MAX \$1000	MAX 6 MOS
NEW HAMPSHIRE	VIOLATION	\$50-\$500	
NEW JERSEY	DISORDERLY PERSON	\$100-\$1000	MAX 6 MOS
NEW MEXICO	PETTY MISD	MAX \$500	MAX 6 MOS
NEW YORK		MAX \$50	
NORTH CAROLINA	MISD/INFRACTION*	UNSPECIFIED/\$25*	MAX 2 YEARS/NONE*
NORTH DAKOTA	CLASS B-MISD	MAX \$500	MAX 30 DAYS
OHIO	1ST DEGREE MISD	MAX \$1000	MAX 6 MOS
OKLAHOMA	MISDEMEANOR	MAX \$100	MAX 30 DAYS
OREGON	VIOLATION	MAX \$250	
PENNSYLVANIA		\$25-\$100	MAX 30 DAYS
RHODE ISLAND		\$100-\$500	
SOUTH CAROLINA	MISDEMEANOR	\$100-\$200	MAX 30 DAYS
SOUTH DAKOTA	CLASS 2-MISD	MAX \$200	MAX 30 DAYS
TENNESSEE	CLASS A-MISD	MAX \$2500	MAX 11 MOS, 29 DAYS
TEXAS	MISDEMEANOR	\$25-\$200	
UTAH	CLASS B-MISD	MAX \$1000	MAX 6 MOS
VERMONT		MAX \$500	MAX 30 DAYS
VIRGINIA	CLASS I-MISD	MAX \$2500	MAX 12 MOS
WASHINGTON	MISDEMEANOR	MAX \$500	MAX 2 MOS
WEST VIRGINIA	NO STATUTE	NO STATUTE	NO STATUTE
WISCONSIN		\$100-\$200	
WYOMING	MISDEMEANOR	MAX \$750	MAX 6 MOS

BLANK SPACES INDICATE THAT INFORMATION IS NOT SPECIFIED IN CCHS LAWS AND REGULATIONS

*SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 19/19 TO 20

**SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 18/18 TO 20. JUV-JUVENILE OFFENSE

***POSSESS: PROHIBITS MINORS FROM CARRYING OR HANDLING ALCOHOLIC BEVERAGES

STATES	PENALTIES AGAINST MINORS WHO CONSUME**		
	CLASS	FINE	JAIL TERM
ALABAMA	MISDEMEANOR	\$50-\$500	MAX 3 MOS
ALASKA	CLASS A-MISD	MAX \$5000	MAX 1 YEAR
ARIZONA	CLASS 1-MISD	MAX \$2500	MAX 6 MOS
ARKANSAS	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
CALIFORNIA	MISDEMEANOR	\$250-\$1000	MAX 6 MOS
COLORADO	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
CONNECTICUT	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
DELAWARE		\$100	
DC		MAX \$1000	MAX 1 YEAR
FLORIDA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
GEORGIA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
HAWAII	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
IDAHO	MISDEMEANOR	MAX \$100	
ILLINOIS	CLASS C-MISD	MAX \$500	MAX 30 DAYS
INDIANA	CLASS C-MISD	MAX \$500	MAX 60 DAYS
IOWA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
KANSAS	JUV/CLASS C-MISD*	\$100-\$500/\$100-\$500*	NONE/MAX 1 MONTH*
KENTUCKY	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
LOUISIANA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
MAINE	CIVIL VIOLATION	\$100-\$300	
MARYLAND	MISDEMEANOR	MAX \$1000	MAX 2 YEARS
MASSACHUSETTS	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
MICHIGAN		MAX \$25	
MINNESOTA	MISDEMEANOR	MAX \$700	MAX 90 DAYS
MISSISSIPPI	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
MISSOURI	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
MONTANA		MAX \$50	
NEBRASKA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
NEVADA	MISDEMEANOR	MAX \$1000	MAX 6 MOS
NEW HAMPSHIRE	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
NEW JERSEY	DISORDERLY PERSON	\$100-\$1000	MAX 6 MOS
NEW MEXICO	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
NEW YORK		MAX \$50	
NORTH CAROLINA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
NORTH DAKOTA	CLASS B-MISD	MAX \$500	MAX 30 DAYS
OHIO	1ST DEGREE-MISD	MAX \$1000	MAX 6 MOS
OKLAHOMA	MISDEMEANOR	MAX \$100	
OREGON	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
PENNSYLVANIA		\$25-\$100	MAX 30 DAYS
RHODE ISLAND		\$100	
SOUTH CAROLINA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
SOUTH DAKOTA	CLASS 2-MISD	MAX \$200	MAX 30 DAYS
TENNESSEE	CLASS A-MISD	MAX \$2500	MAX 11 MOS, 29 DAYS
TEXAS	MISDEMEANOR	\$25-\$200	
UTAH	CLASS B-MISD	MAX \$1000	MAX 6 MOS
VERMONT		MAX \$500	MAX 30 DAYS
VIRGINIA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
WASHINGTON	MISDEMEANOR	MAX \$500	MAX 2 MOS
WEST VIRGINIA	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE
WISCONSIN		\$100-\$200	
WYOMING	.... NO STATUTE ....	.... NO STATUTE ....	.... NO STATUTE

BLANK SPACES INDICATE THAT INFORMATION IS NOT SPECIFIED IN CCH'S LAWS AND REGULATIONS

*SEPARATE PROVISIONS EXIST FOR PERSONS UNDER 18/18 TO 20

**CONSUME: PROHIBITS OR LIMITS MINORS FROM ACTUALLY DRINKING ALCOHOLIC BEVERAGES

STATES	PENALTIES AGAINST MINORS WHO MISREPRESENT THEIR AGE**		
	CLASS	FINE	JAIL TERM
ALABAMA	MISDEMEANOR	MAX \$500	MAX 6 MOS
ALASKA	CLASS A-MISD	MAX \$5000	MAX 1 YEAR
ARIZONA	NO STATUTE	NO STATUTE	NO STATUTE
ARKANSAS	NO STATUTE	NO STATUTE	NO STATUTE
CALIFORNIA	NO STATUTE	NO STATUTE	NO STATUTE
COLORADO	CLASS 2-MISD	\$250-\$1000	3-12 MOS
CONNECTICUT		\$200-\$500	
DELAWARE		\$100-\$500	
DC	MISDEMEANOR	MAX \$25	
FLORIDA	2ND DEGREE-MISD	MAX \$500	MAX 60 DAYS
GEORGIA	MISDEMEANOR	MAX \$1000	MAX 1 1/2 MOS
HAWAII	NO STATUTE	NO STATUTE	NO STATUTE
IDAHO	MISDEMEANOR	\$100-\$300	30 DAYS-6 MOS
ILLINOIS	CLASS A-MISD	MAX \$1000	MAX 1 YEAR
INDIANA	CLASS C-INERAC	MAX \$500	
IOWA	SIMPLE MISD*	MAX \$100*	MAX 30 DAYS*
KANSAS	NO STATUTE	NO STATUTE	NO STATUTE
KENTUCKY		\$10-\$100	
LOUISIANA	NO STATUTE	NO STATUTE	NO STATUTE
MAINE	NO STATUTE	NO STATUTE	NO STATUTE
MARYLAND	CIVIL OFFENSE	MAX \$500	
MASSACHUSETTS		\$300	
MICHIGAN	NO STATUTE	NO STATUTE	NO STATUTE
MINNESOTA	MISDEMEANOR	MAX \$700	MAX 90 DAYS
MISSISSIPPI	MISDEMEANOR	MAX \$200	
MISSOURI	MISDEMEANOR	\$50-\$1000	MAX 1 YEAR
MONTANA		MAX \$50	
NEBRASKA	CLASS III-MISD	MAX \$500	MAX 3 MOS
NEVADA	MISDEMEANOR	MAX \$1000	MAX 6 MOS
NEW HAMPSHIRE	MISDEMEANOR	\$250-\$1000	MAX 1 YEAR
NEW JERSEY	DISORDERLY PERSON	\$100-\$1000	MAX 6 MOS
NEW MEXICO	NO STATUTE	NO STATUTE	NO STATUTE
NEW YORK	NO STATUTE	NO STATUTE	NO STATUTE
NORTH CAROLINA	NO STATUTE	NO STATUTE	NO STATUTE
NORTH DAKOTA	CLASS B-MISD	MAX \$500	MAX 30 DAYS
OHIO	1ST DEGREE-MISD	\$250-\$1000	MAX 6 MOS
OKLAHOMA	NO STATUTE	NO STATUTE	NO STATUTE
OREGON	CLASS C-MISD	MAX \$500	MAX 30 DAYS
PENNSYLVANIA	SUMMARY OFFENSE	MAX \$300	MAX 90 DAYS
RHODE ISLAND		\$100	
SOUTH CAROLINA	MISDEMEANOR	\$100-\$200	MAX 30 DAYS
SOUTH DAKOTA	NO STATUTE	NO STATUTE	NO STATUTE
TENNESSEE	CLASS A-MISD	MAX \$2500	MAX 11 MOS, 29 DAYS
TEXAS	MISDEMEANOR	\$25-\$200	
UTAH	CLASS B-MISD	MAX \$1000	MAX 6 MOS
VERMONT		MAX \$500	MAX 30 DAYS
VIRGINIA	NO STATUTE	NO STATUTE	NO STATUTE
WASHINGTON	NO STATUTE	NO STATUTE	NO STATUTE
WEST VIRGINIA	MISDEMEANOR	MAX \$50	MAX 72 HRS
WISCONSIN		\$250-\$500	
WYOMING	NO STATUTE	NO STATUTE	NO STATUTE

*STATUTE PERTAINS TO PERSONS 18 AND UNDER ONLY

**MISREPRESENT AGE: PROHIBITS MINORS FROM MISREPRESENTING THEIR AGE (NOT LIMITED TO FALSE ID) FOR THE PURPOSES OF OBTAINING ALCOHOL

STATES	PENALTIES AGAINST MINORS WHO PRESENT FALSE IDENTIFICATION*		
	CLASS	FINE	JAIL TERM
ALABAMA	NO STATUTE	NO STATUTE	NO STATUTE
ALASKA	CLASS A-MISD	MAX \$5000	MAX 1 YEAR
ARIZONA	CLASS 1-MISD	MAX \$2500	MAX 6 MOS
ARKANSAS	NO STATUTE	NO STATUTE	NO STATUTE
CALIFORNIA	MISDEMEANOR	\$250-\$1000	MAX 6 MOS
COLORADO	NO STATUTE	NO STATUTE	NO STATUTE
CONNECTICUT		MAX \$50	MAX 30 DAYS
DELAWARE	NO STATUTE	NO STATUTE	NO STATUTE
DC	NO STATUTE	NO STATUTE	NO STATUTE
FLORIDA	2ND DEGREE-MISD	MAX \$500	MAX 60 DAYS
GEORGIA	MISDEMEANOR	MAX \$1000	MAX 12 MOS
HAWAII	PETTY MISD	MAX \$1000	MAX 30 DAYS
IDAHO	NO STATUTE	NO STATUTE	NO STATUTE
ILLINOIS	CLASS B-MISD	MAX \$500	MAX 6 MOS
INDIANA	CLASS C-INERAC	MAX \$500	
IOWA	NO STATUTE	NO STATUTE	NO STATUTE
KANSAS	NO STATUTE	NO STATUTE	NO STATUTE
KENTUCKY		\$50-\$500	
LOUISIANA	NO STATUTE	NO STATUTE	NO STATUTE
MAINE	CLASS E CRIME	MAX \$500	MAX 6 MOS
MARYLAND	NO STATUTE	NO STATUTE	NO STATUTE
MASSACHUSETTS		\$300	
MICHIGAN	MISDEMEANOR	MAX \$100	MAX 90 DAYS
MINNESOTA	NO STATUTE	NO STATUTE	NO STATUTE
MISSISSIPPI	MISDEMEANOR	\$25-\$500	
MISSOURI	MISDEMEANOR	\$500	
MONTANA	NO STATUTE	NO STATUTE	NO STATUTE
NEBRASKA	CLASS III-MISD	MAX \$500	MAX 3 MOS
NEVADA	MISDEMEANOR	MAX \$1000	MAX 6 MOS
NEW HAMPSHIRE	MISDEMEANOR	\$250-\$1000	MAX 1 YEAR
NEW JERSEY	NO STATUTE	NO STATUTE	NO STATUTE
NEW MEXICO	PETTY MISD	MAX \$500	MAX 6 MOS
NEW YORK	VIOLATION	MAX \$100	
NORTH CAROLINA	MISDEMEANOR	UNSPECIFIED	MAX 2 YEARS
NORTH DAKOTA	CLASS B-MISD	MAX \$500	MAX 30 DAYS
OHIO	1ST DEGREE-MISD	\$250-\$1000	MAX 6 MOS
OKLAHOMA	MISDEMEANOR	MAX \$50	
OREGON	CLASS A-MISD	MAX \$2500	MAX 1 YEAR
PENNSYLVANIA	NO STATUTE	NO STATUTE	NO STATUTE
RHODE ISLAND	MISDEMEANOR	MAX \$200	MAX 3 MOS
SOUTH CAROLINA	NO STATUTE	NO STATUTE	NO STATUTE
SOUTH DAKOTA	CLASS 2-MISD	MAX \$200	MAX 30 DAYS
TENNESSEE	CLASS A-MISD	MAX \$2500	MAX 11 MOS, 29 DAYS
TEXAS	MISDEMEANOR	\$25-\$200	
UTAH	NO STATUTE	NO STATUTE	NO STATUTE
VERMONT	MISDEMEANOR	\$50	
VIRGINIA	NO STATUTE	NO STATUTE	NO STATUTE
WASHINGTON	NO STATUTE	NO STATUTE	NO STATUTE
WEST VIRGINIA	MISDEMEANOR	MAX \$50	MAX 72 HRS
WISCONSIN	NO STATUTE	NO STATUTE	NO STATUTE
WYOMING	MISDEMEANOR	MAX \$750	MAX 6 MOS

*PRESENT FALSE IDENTIFICATION: PROHIBITS MINORS FROM PRESENTING FALSE ID TO OBTAIN ALCOHOL.

CONTROLLING ALCOHOL SALE AND DISTRIBUTION

The following matrix describes States' general administrative structures.

Each State is responsible for the licensing and/or control of the alcoholic beverage distribution. Eighteen "control" States have partial or total responsibility for the distribution and sale of alcohol. These States are often identified by the existence of State-run liquor stores. Thirty-three "license" States issue permits or licenses to individuals or companies to control the distribution and sale of alcohol.

Thirty-nine States have "local option" provisions. These allow communities to ban or otherwise limit alcohol sale and distribution.

States require vendors to obtain State and/or local licenses. Generally, licenses are renewed on an annual basis after a renewal fee is paid and other requirements are met. As of July 1991, there were approximately 560,000 retail licenses issued in the United States.

STATES	CONTROLLING ALCOHOL SALE AND DISTRIBUTION		
	CONTROL/LICENSE ¹	LOCAL OPTION ²	ISSUING LICENSES
ALABAMA	CONTROL	YES	STATE
ALASKA	LICENSE	YES	STATE
ARIZONA	LICENSE	NO	STATE
ARKANSAS	LICENSE	YES	STATE
CALIFORNIA	LICENSE	NO	STATE
COLORADO	LICENSE	YES	STATE/LOCAL
CONNECTICUT	LICENSE	YES	STATE
DELAWARE	LICENSE	YES	STATE
D.C.	LICENSE	NO	STATE
FLORIDA	LICENSE	YES	STATE
GEORGIA	LICENSE	YES	STATE/LOCAL
HAWAII	LICENSE	NO	COUNTY
IDAHO	CONTROL	YES	STATE/LOCAL
ILLINOIS	LICENSE	YES	STATE/LOCAL
INDIANA	LICENSE	NO	STATE
IOWA	CONTROL	NO	STATE
KANSAS	LICENSE	YES	STATE
KENTUCKY	LICENSE	YES	STATE/LOCAL
LOUISIANA	LICENSE	YES	STATE/LOCAL
MAINE	CONTROL	YES	STATE
MARYLAND	LICENSE	NO	STATE/LOCAL
MASSACHUSETTS	LICENSE	YES	STATE/LOCAL
MICHIGAN	CONTROL	YES	STATE
MINNESOTA	LICENSE	YES	LOCAL
MISSISSIPPI	CONTROL	YES	STATE
MISSOURI	LICENSE	YES	STATE/LOCAL
MONTANA	CONTROL	YES	STATE
NEBRASKA	LICENSE	YES	STATE
NEVADA	LICENSE	NO	LOCAL
NEW HAMPSHIRE	CONTROL	YES	STATE
NEW JERSEY	LICENSE	YES	STATE/LOCAL
NEW MEXICO	LICENSE	YES	STATE
NEW YORK	LICENSE	YES	STATE
NORTH CAROLINA	CONTROL	YES	STATE/LOCAL
NORTH DAKOTA	LICENSE	NO	STATE/LOCAL
OHIO	CONTROL	YES	STATE
OKLAHOMA	LICENSE	NO	STATE
OREGON	CONTROL	YES	STATE
PENNSYLVANIA	CONTROL	YES	STATE
RHODE ISLAND	LICENSE	YES	CITY
SOUTH CAROLINA	LICENSE	NO	STATE
SOUTH DAKOTA	LICENSE	YES	STATE
TENNESSEE	LICENSE	YES	STATE*
TEXAS	LICENSE	YES	STATE
UTAH	CONTROL	NO	STATE/LOCAL
VERMONT	CONTROL	YES	STATE/LOCAL
VIRGINIA	CONTROL	YES	STATE
WASHINGTON	CONTROL	YES	STATE
WEST VIRGINIA	CONTROL	YES	STATE
WISCONSIN	LICENSE	YES	LOCAL
WYOMING	CONTROL	YES	STATE/LOCAL

*LOCAL FOR BEER ONLY

1-CONTROL: STATES ARE PARTIALLY OR TOTALLY RESPONSIBLE FOR THE DISTRIBUTION AND SALE OF ALCOHOL

1-LICENSE: STATES ISSUE LICENSES OR PERMITS TO INDIVIDUALS OR CORPORATIONS TO SELL ALCOHOL

2-LOCAL OPTION: ALLOWS LOCAL GOVERNMENTS TO ENACT LAWS TO LIMIT THE DISTRIBUTION AND SALE OF ALCOHOL

EMPLOYMENT OF AND SALES BY MINORS

States regulate how old a person must be to sell alcohol and to be employed by a vendor in general.

The matrix on the following page shows that 44 States allow minors to sell and/or serve alcohol without adult supervision. All States allow minors to work in some capacity for licensed establishments.

State laws allowing minors to sell or serve alcohol may result in easier youth access to alcohol. According to an OIG survey of junior and senior high school students, more than 3.5 million students purchase alcohol from stores with young clerks, and almost 3 million students purchase alcohol from stores where they know the clerk.

STATES	EMPLOYMENT OF AND SALES BY MINORS	
	MINIMUM AGE TO SELL WITHOUT SUPERVISION	MINIMUM AGE TO BE EMPLOYED BY LICENSEE
ALABAMA	NOT ALLOWED	16
ALASKA	NOT ALLOWED	16
ARIZONA	19	16
ARKANSAS	18	18
CALIFORNIA	18	18
COLORADO	18	UNDER 18
CONNECTICUT	18	16
DELAWARE	19	16
D.C.	18	18
FLORIDA	18	17
GEORGIA	18	18
HAWAII	NOT ALLOWED	16
IDAHO	19	19
ILLINOIS	18	18
INDIANA	18	18
IOWA	18	16
KANSAS	NOT ALLOWED	18
KENTUCKY	20	18
LOUISIANA	17	17
MAINE	18	17
MARYLAND	18	18
MASSACHUSETTS	18	18
MICHIGAN	18	16
MINNESOTA	18	18
MISSISSIPPI	UNDER 21	UNDER 21
MISSOURI	18	18
MONTANA	18	18
NEBRASKA	19	16
NEVADA	18	16
NEW HAMPSHIRE	18	15
NEW JERSEY	18	16
NEW MEXICO	18	18
NEW YORK	18	18
NORTH CAROLINA	18	16
NORTH DAKOTA	NOT ALLOWED	19
OHIO	18	18
OKLAHOMA	NO AGE LIMIT	18
OREGON	18	18
PENNSYLVANIA	18	16
RHODE ISLAND	18	18
SOUTH CAROLINA	18	18
SOUTH DAKOTA	18	18
TENNESSEE	18	18
TEXAS	18	16
UTAH	NOT ALLOWED	UNDER 21
VERMONT	18	16
VIRGINIA	18	18
WASHINGTON	NOT ALLOWED	18
WEST VIRGINIA	18	16
WISCONSIN	18	14
WYOMING	18	18

DRAM SHOP AND SOCIAL HOST LAWS

Dram shop and social host laws define the circumstances under which an alcohol vendor or other provider may be held liable for providing alcohol to minors.

State ABC officials believe that the threat of costly litigation deters vendors from selling alcohol to minors. However, the matrix on the following page shows that only 23 States specifically allow lawsuits against alcohol vendors who sell to minors. One State, South Dakota, clearly prohibits such lawsuits.

Nine States specifically permit lawsuits against other persons, such as social hosts (for example, party hosts or parents who allow minors to drink in their homes) who give alcohol to minors. Three States prohibit such lawsuits.

In 1985, the Federal Government funded the development of a model dram shop law. This model law allows lawsuits for damages resulting from sale of alcohol to minors. New Hampshire, Maine, and Rhode Island are the only States that have adopted the portion of this model law that concerns minors.

STATES	DRAM SHOP AND SOCIAL HOST LAWS	
	DRAM SHOP LAWS ¹	SOCIAL HOST LAWS ²
ALABAMA	ALLOWS	ALLOWS
ALASKA	ALLOWS	PROHIBITS
ARIZONA	ALLOWS	UNCLEAR
ARKANSAS	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
CALIFORNIA	ALLOWS WITH LIMITATIONS*	PROHIBITS
COLORADO	ALLOWS	ALLOWS
CONNECTICUT	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
DELAWARE	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
D.C.	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
FLORIDA	ALLOWS	UNCLEAR
GEORGIA	ALLOWS WITH LIMITATIONS**	LIMITED*
HAWAII	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
IDAHO	ALLOWS	ALLOWS
ILLINOIS	UNCLEAR	UNCLEAR
INDIANA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
IOWA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
KANSAS	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
KENTUCKY	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
LOUISIANA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
MAINE	ALLOWS	NOTHING SPECIFIC TO MINORS
MARYLAND	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
MASSACHUSETTS	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
MICHIGAN	ALLOWS	ALLOWS
MINNESOTA	ALLOWS	NOTHING SPECIFIC TO MINORS
MISSISSIPPI	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
MISSOURI	ALLOWS	NOTHING SPECIFIC TO MINORS
MONTANA	ALLOWS	ALLOWS
NEBRASKA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
NEVADA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
NEW HAMPSHIRE	ALLOWS	NOTHING SPECIFIC TO MINORS
NEW JERSEY	ALLOWS	NOTHING SPECIFIC TO MINORS
NEW MEXICO	ALLOWS	ALLOWS WITH LIMITATIONS***
NEW YORK	ALLOWS	ALLOWS
NORTH CAROLINA	ALLOWS	NOTHING SPECIFIC TO MINORS
NORTH DAKOTA	ALLOWS	ALLOWS
OHIO	ALLOWS	NOTHING SPECIFIC TO MINORS
OKLAHOMA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
OREGON	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
PENNSYLVANIA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
RHODE ISLAND	ALLOWS	ALLOWS WITH LIMITATIONS***
SOUTH CAROLINA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
SOUTH DAKOTA	PROHIBITS	PROHIBITS
TENNESSEE	ALLOWS	UNCLEAR
TEXAS	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
UTAH	ALLOWS	ALLOWS
VERMONT	ALLOWS	NOTHING SPECIFIC TO MINORS
VIRGINIA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
WASHINGTON	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
WEST VIRGINIA	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS
WISCONSIN	ALLOWS	ALLOWS
WYOMING	NOTHING SPECIFIC TO MINORS	NOTHING SPECIFIC TO MINORS

*VISIBLY INTOXICATED MINOR.

**KNOWING SUCH PERSON SHALL SOON BE DRIVING.

***ALCOHOL PROVIDED "RECKLESSLY."

1-DRAM SHOP LAWS: ALLOWS OR PROHIBITS LAWSUITS AGAINST VENDORS FOR DAMAGES CAUSED BY INTOXICATED MINOR.
2-SOCIAL HOST LAWS: ALLOWS OR PROHIBITS LAWSUITS AGAINST A PERSON WHO GIVES ALCOHOL TO A MINOR.

LAWS PROHIBITING ADULTS FROM AIDING MINORS

The matrix on page 23 shows that most States have laws designed to prohibit adults from helping minors obtain alcohol. Most commonly, States prohibit adults from buying for, selling to, or giving to minors. Some States only prohibit misrepresenting the age of a minor or aiding and assisting a minor in purchasing and consuming alcoholic beverages. A few States make it illegal to perform specific acts, such as transporting or possessing alcohol in a car with the intent to sell to a minor.

STATES	ACTS PROHIBITED BY ADULTS ON BEHALF OF MINORS
ALABAMA	
ALASKA	MISREPRESENT AGE OF MINOR
ARIZONA	MISREPRESENT AGE OF MINOR, ORDER OR RECEIVE
ARKANSAS	PURCHASE
CALIFORNIA	SELL OR GIVE
COLORADO	SELL OR GIVE
CONNECTICUT	DELIVER OR GIVE
DELAWARE	PURCHASE, BUY OR GIVE
D.C.	MISREPRESENT AGE OF MINOR
FLORIDA	SELL, GIVE, OR SERVE
GEORGIA	PURCHASE OR ACQUIRE
HAWAII	PURCHASE FOR CONSUMPTION
IDAHO	SELL OR GIVE
ILLINOIS	PURCHASE OR OBTAIN
INDIANA	ENCOURAGE, AID OR INDUCE MINOR TO POSSESS
IOWA	SELL, GIVE OR SUPPLY
KANSAS	SELL, BUY, GIVE OR FURNISH
KENTUCKY	AID OR ASSIST IN PURCHASE, DELIVER OR SERVICE
LOUISIANA	PURCHASE
MAINE	PROCURE, AID OR ASSIST IN PROCUREMENT
MARYLAND	OBTAIN FOR CONSUMPTION
MASSACHUSETTS	DELIVER OR PURCHASE IN LICENSED ESTABLISHMENT
MICHIGAN	SELL OR FURNISH
MINNESOTA	
MISSISSIPPI	SELL OR FURNISH
MISSOURI	SELL OR GIVE
MONTANA	MISREPRESENT AGE OF MINOR
NEBRASKA	SELL OR GIVE
NEVADA	SELL OR GIVE
NEW HAMPSHIRE	SELL OR GIVE
NEW JERSEY	SERVE, OFFER OR MAKE AVAILABLE
NEW MEXICO	BUY, SELL, AID, ASSIST OR DELIVER
NEW YORK	MISREPRESENT AGE OF MINOR
NORTH CAROLINA	SELL OR GIVE
NORTH DAKOTA	DELIVER
OHIO	MISREPRESENT AGE OF MINOR
OKLAHOMA	SELL, FURNISH OR GIVE
OREGON	SELL OR GIVE
PENNSYLVANIA	SELL, GIVE OR FURNISH
RHODE ISLAND	PURCHASE FOR, OR ENCOURAGE OR AID IN BREAKING LAW
SOUTH CAROLINA	PURCHASE FOR, OR TRANSFER OR GIVE
SOUTH DAKOTA	SELL OR GIVE
TENNESSEE	PURCHASE
TEXAS	PURCHASE, GIVE OR MAKE AVAILABLE
UTAH	
VERMONT	SELL OR FURNISH
VIRGINIA	SELL
WASHINGTON	SELL, GIVE OR SUPPLY ON PREMISES
WEST VIRGINIA	SELL OR GIVE IN RETAIL STORE
WISCONSIN	PROCURE FOR, OR SELL OR GIVE
WYOMING	TRANSPORT OR POSSESS WITH INTENT TO SELL TO MINOR

CREATIVE METHODS TO ENFORCE LAWS AND PENALIZE OFFENDERS

The following matrix illustrates which States have undertaken creative methods to enforce and prosecute youth alcohol offenses:

- ▶ **Mandatory driver's license suspension.** Twenty-eight States delay, suspend, or revoke youth drivers' licenses for alcohol-related violations. Some States take action for any alcohol violation, while others do so for specific violations only. The suspension varies from several days to several years, depending on the State, the violation, and the minor's record. Officials from States with this option argue that traditional, statutory penalties do not deter youth and "the one thing that a minor cares about is his driver's license."
- ▶ **Allowing vendors to require purchasers to sign an affidavit (a legal document) swearing that he or she is 21.** Eleven States have this affidavit option. The affidavit explains the penalties against minors who attempt to purchase alcohol or misrepresent their age. Vendors support this because the affidavit serves as proof that the minor misrepresented his or her age.
- ▶ **Mandatory server training.** Eleven States mandate that all alcohol servers and sellers undergo training regarding State alcohol control laws, regulations, and penalties, their civil liability for selling to a minor, how to identify an underage drinker, and how to determine whether an identification card is genuine. Forty-seven of 51 State officials believe that increasing server training would be effective in preventing minors from obtaining and consuming alcohol.
- ▶ **Prohibiting advertising that appeals to youth.** Seventeen States have laws that generally prohibit advertising that appeals to youth.

STATES	CREATIVE METHODS TO ENFORCE ALCOHOL LAWS			
	SUSPEND LICENSE ¹	AFFIDAVIT ²	TRAIN VENDOR ³	ADVERTISE ⁴
ALABAMA			YES	YES
ALASKA		YES	YES	
ARIZONA	FALSE ID		YES	
ARKANSAS	DWI		YES	
CALIFORNIA	YES			YES
COLORADO	YES			
CONNECTICUT				
DELAWARE	YES			YES
D.C.				YES
FLORIDA	YES		YES	
GEORGIA	DWI			
HAWAII			YES	
IDAHO				
ILLINOIS				YES
INDIANA	YES	YES		
IOWA	DWI			YES
KANSAS				
KENTUCKY				
LOUISIANA				
MAINE	ALC IN CAR			YES
MARYLAND	YES	YES	YES	
MASSACHUSETTS	YES			
MICHIGAN	FALSE ID			
MINNESOTA				YES
MISSISSIPPI				
MISSOURI				
MONTANA	YES			
NEBRASKA		YES		
NEVADA				
NEW HAMPSHIRE	ALC IN CAR			YES
NEW JERSEY	YES	YES		YES
NEW MEXICO	COURT'S DISC			
NEW YORK	FALSE ID			
NORTH CAROLINA	YES			YES
NORTH DAKOTA		YES		
OHIO	FALSE ID			
OKLAHOMA	YES			
OREGON	YES	YES	YES	YES
PENNSYLVANIA	YES	YES		
RHODE ISLAND	ALC IN CAR	YES		
SOUTH CAROLINA	YES			
SOUTH DAKOTA				
TENNESSEE				
TEXAS				
UTAH		YES	YES	YES
VERMONT			YES	YES
VIRGINIA	YES			YES
WASHINGTON	YES	YES		YES
WEST VIRGINIA				YES
WISCONSIN	YES		YES	
WYOMING				

1-SUSPEND LICENSE: STATES ALLOW FOR SUSPENSION OF MINOR'S DRIVER'S LICENSE FOR VIOLATIONS OF ALCOHOL CONTROL LAWS.

2-AFFIDAVIT: REQUIRES A SUSPECTED MINOR TO SIGN AN AFFIDAVIT STATING THAT HE OR SHE IS OVER 21.

3-TRAIN VENDOR: VENDORS AND THEIR EMPLOYEES ARE INFORMED OF THE METHODS MINORS USE TO OBTAIN ALCOHOL.

4-ADVERTISING: LIMITS THE USE OF MINORS OR IMAGES ASSOCIATED WITH MINORS IN ALCOHOL ADVERTISEMENTS.

LIMITING SALES NEAR SCHOOLS AND UNIVERSITIES

The matrix on page 27 shows that 25 States prohibit alcohol vendors from locating their businesses within 100 to 1,500 feet from schools. In addition, 10 States prohibit vendors from locating near university campuses.

STATES	LIMITS ON SALES NEAR SCHOOLS AND UNIVERSITIES			
	SCHOOL	DISTANCE	UNIVERSITY	DISTANCE
ALABAMA			YES	400 FT
ALASKA	YES	200 FT		
ARIZONA	YES	300 FT		
ARKANSAS	YES	400-600 FT		
CALIFORNIA	YES	600 FT		
COLORADO	YES	500 FT	YES	500 FT
CONNECTICUT				
DELAWARE				
D.C.	YES	400 FT	YES	400 FT
FLORIDA				
GEORGIA	YES	600 FT	YES	600 FT
HAWAII	ABC's DISCRETION			
IDAHO	YES	300 FT		
ILLINOIS	YES	100 FT		
INDIANA				
IOWA				
KANSAS	YES	200 FT	YES	200 FT
KENTUCKY				
LOUISIANA				
MAINE	YES*	300 FT	YES	
MARYLAND				
MASSACHUSETTS	YES*	500 FT		
MICHIGAN	YES	500 FT		
MINNESOTA	YES	1500 FT	YES	1500 FT
MISSISSIPPI				
MISSOURI	YES	100 FT		
MONTANA				
NEBRASKA	YES	150 FT	YES	300 FT
NEVADA				
NEW HAMPSHIRE				
NEW JERSEY				
NEW MEXICO	YES	300 FT		
NEW YORK	YES	200 FT		
NORTH CAROLINA				
NORTH DAKOTA				
OHIO				
OKLAHOMA	YES	300 FT	YES	300 FT
OREGON	ABC's DISCRETION			
PENNSYLVANIA	YES	300 FT		
RHODE ISLAND	YES	200-500 FT		
SOUTH CAROLINA	YES	300-500 FT		
SOUTH DAKOTA				
TENNESSEE				
TEXAS	COUNTY'S DISCRETION			
UTAH	YES	200-600 FT		
VERMONT				
VIRGINIA				
WASHINGTON				
WEST VIRGINIA	YES	300 FT	YES*	
WISCONSIN	YES	300 FT		
WYOMING				

*ABC MAY ALLOW AT ITS DISCRETION.

*MAY BE WAIVED BY UNIVERSITY.