

UNDERAGE DRINKING: A Resource Guide to State Laws Summary of State Laws Pertaining to Underage Consumption of Alcohol

State	Consume	Type of Offense	Minimum Fine	Maximum fine	Minimum Imprisonment	Maximum Imprisonment	Probation	Community Service	Education Program	Treatment Program/Assessment	Driver's License Suspension (S)/Revocation (R)/Confiscation (C)	Graduated Penalties	Diversion Program Available	Other	Penalties	Parent/Guardian Consent	Parent/Guardian Presence	Legal Age Spouse	In Any Private Location	In Private Residence	In Parent/Guard Home Only	Other*		
KY		No law																					Exceptions	
LA	X	Violation		\$100		6mos					90ds-1yr S (<19)	Yes (<19 only)	No		Public possession (definition includes consumption) punishable by up to \$100 fine and/or 6 months imprisonment. (La. R.S. 14:93.12) Exceptions. (La. R.S. 14:93.10) If under 19, driving privileges suspended for 1st offense - 90 days to 1 year; subsequent offenses - longer of until 19 or 1 year. (La. R.S. 32:430)	X	X	X		X			M/RC	
ME	X	Civil violation	\$200	\$600				X				Yes	No		Consumption: civil violation punishable by for 1st offense - \$200-\$400 fine; 2d offense - \$300-\$600 fine and/or community service; subsequent offenses - \$600 fine and/or community service. (28-A M.R.S. § 2051)									
MD	X	Misdemeanor		\$1,000		2yrs						No	No		Misdemeanor punishable by up to \$1,000 fine and/or up to 2 years imprisonment. (Md. Ann. Code art. 2B, § 1-201)	X	X		X				FM/RC	
MA		No law																						
MI	X	Misdemeanor		\$500		60ds (for failure to meet orders of the court)		X	X	X	90ds-1yr (2d and subsequent violations only)	Yes	Yes (1st offense only)	<18 Parental notification	Misdemeanor punishable by: 1st violation - up to \$100 fine and/or community service and may be ordered to attend substance abuse treatment or screening; 2d violation - 90 day driver's license suspension, up to 30 days imprisonment (for not meeting the requirements of the court for first offense) and/or up to \$200 fine, and/or community service and may be ordered to attend substance abuse treatment or screening; subsequent violations - 1 year driver's license suspension, up to 60 days imprisonment (for not meeting the requirements of the court for first offense) and/or up to \$500 fine, and/or community service and may be ordered to attend substance abuse treatment or screening. If the offender is under 18, parents/guardians must be notified within 48 hours. (MCLS § 436.1703)									C/RC/U
MN	X	>18 Misdemeanor <18 Juvenile petty offense	\$100	\$1,000		90ds						No	No		Misdemeanor punishable by \$100-\$1,000 fine and/or up to 90 days imprisonment. (Minn. Stat § 340A.503 and 703) Juvenile is petty offender punishable by: 1st offense - up to \$100 fine and/or community service and/or education program and/or up to 6 months probation and/or evaluation and treatment if necessary; 2d offense - same as above plus driver's license suspended for longer of 1 year or until 18; subsequent violations - same as above plus mandatory evaluation and treatment program. (Minn. Stat § 260B.235)	X							X	
MS		No law																						
MO		No law																						
MT	X	>18 <18	\$100	\$500 \$600		6mos			X	X		Yes	No	Parents or guardians must complete alcohol education w/offender	Consumption punishable by: >18: 1st offense: up to \$200 fine and possible community service; 2d offense - chemical dependency screening (and treatment if necessary), up to \$200 fine and possible community service; subsequent offenses - up to \$500 fine, possible community service, must complete alcohol information course, up to 6 months imprisonment. <18 (in addition to any punishment recommended by juvenile court): 1st offense: \$100-\$300 fine, 20 hours community service, offender and parents/guardians must complete substance abuse education program, driver's license confiscated by court for 30 days; 2d offense: chemical dependency assessment (and treatment if necessary), \$200-\$600 fine, 40 hours community service, complete substance abuse education program, driver's license confiscated by court for 6 months; subsequent offenses - chemical dependency assessment (and treatment if necessary), \$300-\$900 fine, 60 hours community service, offender and parents/guardians must complete substance abuse education program, driver's license confiscated by court for 6 months. (Mont. Code Anno., § 45-5-624)	X						M/RC		
NE	X	Class III misdemeanor		\$500		3mos						No	No	Parental notification	Class III misdemeanor punishable by: up to \$500 fine and/or up to 3 months imprisonment and parental notification. (R.R.S.Neb. § 53-180.01) Penalty. (R.R.S. Neb. § 53-180.05)								X	RC

* Footnotes Defined on Page 163

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NV	X	Misdemeanor		\$1,000		6mos		X				No	No		Consumption in any saloon, resort or premises where alcohol beverages are sold is a misdemeanor punishable by fine up to \$1,000 and/or up to 6 months imprisonment; or in lieu of such punishment, may be ordered to perform community service. (Nev. R.S. § 202.020)				X				
NH	X	Class A misdemeanor	\$250	\$2,000		1yr		X	X		90ds-2yrs R	Yes	No		Consumption is a class A misdemeanor punishable by: 1st offense - \$250-\$2,000 fine and/or up to 1 year imprisonment and/or up to 1 year conditional discharge, may revoke driver's license for 90 days to 6 months; subsequent offenses - \$500-\$1,000 fine and/or up to 1 year conditional discharge, may revoke driver's license for 6 months to 2 years. (N.H. Rev. Stat. § 179:10)								
NJ	X	Disorderly persons offense	\$500	\$1,000					X	X	6mos	No	No	<18, parental notification and parents fined \$500 for each subsequent offense	Consumption at licensed retail establishment is a disorderly persons offense punishable by: \$500-\$1,000 fine and 6 month driver's license suspension; court may require participation in alcohol education or treatment program. If the offender is under 18, parents will be notified in writing of violation; upon subsequent offense, parents will be fined \$500 for failure to control minor. Municipalities may prohibit possession or consumption on private property, which is a violation punishable by: 1st offense - \$250 fine and may suspend driver's license for 6 months; subsequent offenses - \$350 fine and may suspend driver's license for 6 months. (N.J. Stat. §§ 33:1-81 and 40:48-1.2)	X	X	X			FM/RC/U		
NM		No Law																					
NY	X	Civil violation		\$50				X	X			No	No		Possession with intent to consume is a civil violation punishable by up to \$50 fine and/or alcohol awareness program and/or up to 30 hours community service. (NY CLS AL. Bev. § 65-c)	X	X					U	
NC	X	Class 1 misdemeanor		X			X					No	No		Consumption is a class 1 misdemeanor punishable by fine and/or probation at discretion of the court. (N.C. Gen. Stat. §§ 18B-300, 301 and 102)								
ND	X	Class B misdemeanor		\$1,000		30ds				X		No	No		Class B misdemeanor punishable by: up to 30 days imprisonment and/or up to \$1,000 fine and court may refer offender to addiction assessment and treatment. (N.D. Cent. Code, § 5-01-08)							RC	
OH	X	Class 1 misdemeanor?		\$1,000		180ds					6mos-1yr S ²	No	Yes (1st offense only)		Consumption of beer or liquor: 1st offense - judge may establish diversion program; failure to complete diversion program or subsequent offenses - 1st degree misdemeanor punishable by up to 180 days imprisonment and/or up to \$1,000 fine. (* If offender is under 18 and offense occurred in motor vehicle, 6 months-1 year driver's license suspension for first offense.) (Ohio Rev. Code Ann. 4301.69) Consumption of low-alcohol beverage: 4th degree misdemeanor punishable by up to 30 days imprisonment and/or up to \$250 fine. (Ohio Rev. Code Ann. 4301.31)	X	X	X			M/RC		
OK	X	Misdemeanor		\$100				X				No	No		Consumption of low-point beer is a misdemeanor punishable by up to \$100 fine or up to 20 hours community service. Exception for low-point beer only. (37 Okl. St. § 246)	X ²	X ³						
OR	X	Class B violation		\$360						X		No	No		Class B violation punishable by up to \$360 fine, alcohol assessment and treatment for subsequent offenses or if over 18. (ORS § 471.430) Religious exception for wine only.	X	X		X			RC ⁴	
PA	X	Summary offense		\$500				X	X	X	90ds-2yrs S	Yes	Yes (1st offense only)	Parental notification	Summary offense punishable by, in addition to alcohol evaluation and education or treatment and parental notification: 1st offense - 90 day driver's license suspension; 2d offense - 1 year driver's license suspension and up to \$500 fine; subsequent offenses - 2 year driver's license suspension and up to \$500 fine. For first offense of any of the above provisions, the court may offer alternative adjudication program consisting of public service, counseling, job training, or self-improvement program. (18 Pa.C.S. § 6308)							RC	
RI	X		\$100	\$1,000							3mos-1yr S	Yes	No		Consumption punishable by: 1st offense - \$100-\$250 fine and possible 3 month driver's license suspension; 2d offense - \$250-\$500 fine and possible 6 month driver's license suspension; subsequent offense - \$500-\$1,000 fine and possible 1 year driver's license suspension. (R.I. Gen Laws § 3-8-6)							U	

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SC		No Law																						
SD	X ⁶	Class 2 misdemeanor		\$200		30ds					30ds-1yr S	Yes	No		Class 2 misdemeanor punishable by up to \$200 fine and/or up to 30 days imprisonment. In addition, driver's license suspension for 30 days-1 year for 1st offense or 60 days-1 year for subsequent offenses. (If possession/consumption occurs in motor vehicle, license suspension for 1st offense, 6 months; subsequent offenses - 1 year.) (S.D. Codified Laws §§ 35-9-2 and 35-9-7)									RC
TN	X	Class A misdemeanor		\$2,500		11mos, 29ds			X		6mos-1yr S	Yes	(1st offense only)		Consumption: Class A misdemeanor punishable by denial of driving privileges for 6 months (1st offense) or 1 year (subsequent offenses) and up to \$2,500 fine and/or up to 11 months, 29 days imprisonment. License suspension may be withdrawn after 1st offense for completion of alcohol education program. (Tenn. Code Ann. § 57-4-203) (Tenn. Code Ann. §§ 55-10-701 and 55-10-703)									RC
TX	X	Class C misdemeanor		\$500 (1st and 2d offense)/ \$2,000 (3d and subsequent offense)				X	X		30-180ds S	Yes	Yes		Class C misdemeanor punishable by: 1st offense - up to \$500 fine, 8-12 hours community service and 30 days driver's license suspension. (For 1st offense, punishment may be deferred if court orders alcohol awareness program. If offender fails to provide proof of program completion within 90 days, offender's driver's license suspended for 6 months.) 2d offense - up to \$500 fine, 20-40 hours community service and 60 day driver's license suspension; 3d and subsequent offenses - 180 day driver's license suspension and \$250-\$2,000 fine and/or up to 180 days confinement. (Tex. Alco. Bev. Code §§ 106.05 and 106.071)	X	X	X						
UT	X	Class B misdemeanor		\$1,000		6mos					90ds-1yr S (13-17 year old offenders only)	Yes (license suspension only)	Yes (<18 for 1st offense only)		Class B misdemeanor punishable by up to \$1,000 fine and/or up to 6 months imprisonment. For offenders 13-17 years old, driver's license suspension for: 1st offense - 6 months (not mandatory); 2d offense - mandatory 6 months; subsequent offenses - mandatory 1 year. (Utah Code Ann. § 32A-12-209) <18 - 1st offense may be handled by youth Court where minor may be ordered to perform community service, participate in mentoring or alcohol treatment, counseling or education program, write essays and pay up to \$30 court fee. (Utah Code § 78-57-105)	X ⁶	X ⁶						M/RC	
VT	X	Civil violation	\$300	\$600		30ds			X		90-120ds S	Yes	Yes		>16 - First offense is civil violation - offender is issued a citation and required to participate in diversion program consisting of alcohol education program; if offender fails to do so, summons sent to judicial bureau and offender may face 90-120 day driver's license suspension and \$300-\$600 fine and/or up to 30 days imprisonment. Subsequent offenses - 120 day driver's license suspension, alcohol and driving education program and up to \$600 fine and/or up to 30 days imprisonment; or relinquish driver's license for 60 days and attend alcohol and driving education program. (7 V.S.A. § 656)								U	
VA		No Law																						
WA	X	Gross misdemeanor		\$5,000		1yr					1-2yrs R (only if <18)	Yes (license suspension only)	No		Consumption is a gross misdemeanor punishable by up to \$5,000 fine and/or up to 1 year imprisonment and if under 18, for 1st offense - driver's license revocation or the longer of 1 year or until 17, subsequent offenses - driver's license revocation for the longer of 2 years or until 18.	X	X							M/RC
WV	X	Misdemeanor		\$500		72hrs	X					No	Yes		Consumption is a misdemeanor punishable by up to \$500 fine and/or up to 72 hours imprisonment; or for first offense, in lieu of such punishment, up to 1 year probation. (W. Va. Code § 60-3A-24)	X	X	X						BR

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