

Federal and State Laws

The following summary is not intended to be a definitive explanation of the law, but rather an overview of state and federal laws regarding the possession, use and distribution of illicit drugs and alcohol. It is intended only to be generally representative of these laws.

NY State Laws		Law	Penalty
Alcohol		It is illegal for anyone under the age of 21 to purchase or possess any alcoholic beverage with the intent to consume it.	A fine of up to \$50, and/or completion of a court ordered alcohol awareness program, and up to 36 hours community service, may be imposed for a violation.
		It is illegal for anyone under the age of 21 to present false evidence of age to purchase any alcoholic beverage.	A fine of up to \$100, up to a year's probation, completion of a court ordered alcohol awareness program, up to 36 hours community service, and, if a driver's license is used, suspension of the license. Possession of false ID may result in a forgery charge.
		It is illegal to sell or give away alcoholic beverages to a person who is, actually or apparently, under 21 or intoxicated.	Punishable as a misdemeanor.
		Driving while intoxicated is a criminal offense.	May result in a fine, a license revocation, and imprisonment.
		- A driver who is intoxicated and causes someone's death in an accident may be charged with vehicular manslaughter. - If a person is injured by someone who is intoxicated, he or she could have a right of action to recover damages against the person who unlawfully caused or contributed to such intoxication.	Under the Zero Tolerance Law, it's illegal for a person under twenty-one, with a blood alcohol content of 0.02 to 0.07, to operate a motor vehicle. 1st offense: 6 month license suspension/\$125 fine/\$100 fee to terminate suspension. 2nd Offense: license revoked 1 year or until age twenty-one/\$125 fine/\$100 license re-application fee.
Illicit Drugs		Unlawful possession of cannabis, over 3 ounces	Punishable by a fine of up to \$100
		Subsequent violations of cannabis possession	May result in fines to \$250 and/or imprisonment for up to 15 days
		Selling more than 16 ounces of cannabis	A felony punishable by up to 15 years in prison
		Possession of larger quantities of cannabis or selling it	Penalties depend on the quantity involved, the criminal record of the violator, and other factors
		Unlawful possession of small amounts of a controlled substance (e.g., cocaine, LSD, PCP, hallucinogenic substances, stimulants, narcotics)	A Class A misdemeanor and may result in a \$1000 fine and/or up to one year in jail
		Violations of all other possession and sale laws involving controlled substances	Are considered felonies. In some cases, conviction may result in punishments of up to life in prison
Federal Laws		Law	Penalty
Illicit Drugs		First conviction of illegal possession of a controlled substance	May result in imprisonment for up to one year and/or a fine of up to \$100,000
		Subsequent conviction for illegal possession of a controlled substance	Subsequent convictions carry stiffer criminal penalties. Other penalties may apply, such as forfeiture of property used in connection with the crime, denial of certain federal benefits, and revocation of certain federal licenses
		Federal trafficking of marijuana (depends on the form of the substance, quantity, and record of the violator)	A first offense violation may result in five years to life imprisonment (depending on the quantity) and/or a fine of \$250,000 to \$4 million
		Federal trafficking of controlled substances such as heroin, cocaine, PCP, and LSD (depends on the substance, quantity, and record of the violator)	Penalties range from five years to life imprisonment and/or fines of up to \$8 million (within 1,000 feet of a University, prison terms and fines are twice the regular penalties for the offense, including a mandatory prison sentence of at least one year)