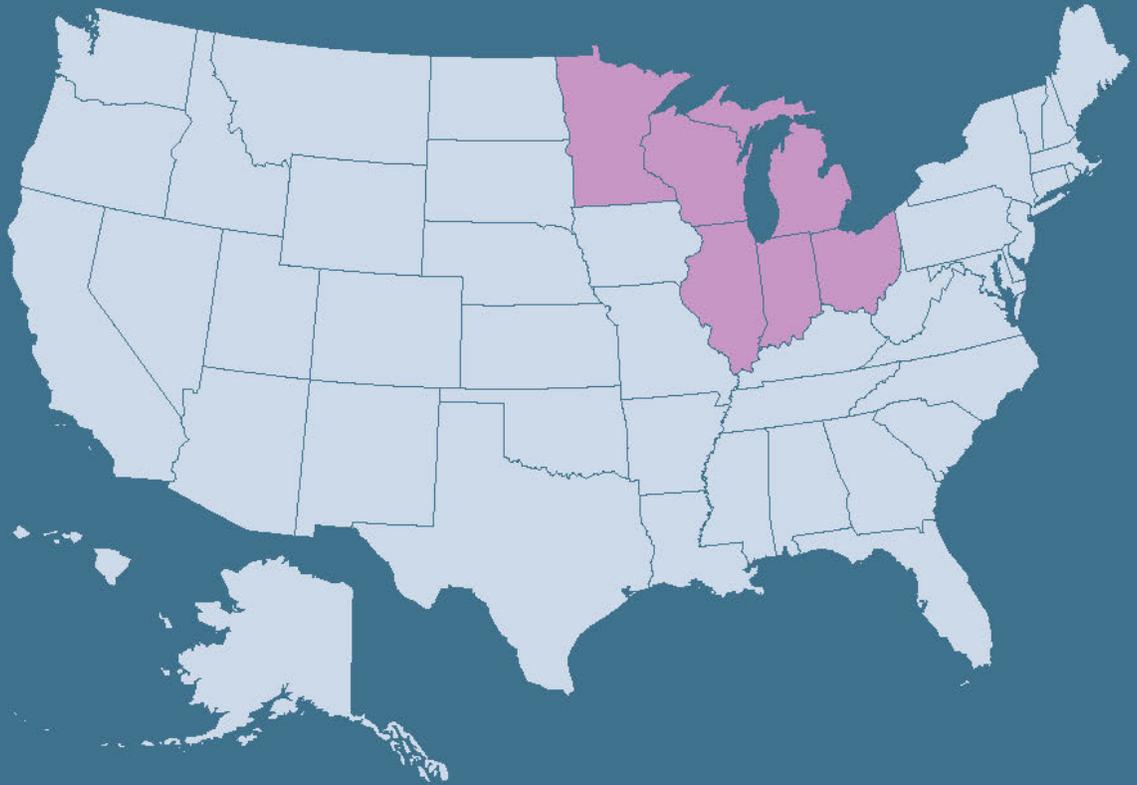


STATE REPORTS

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

State Reports – Underage Drinking Prevention and Enforcement: Region 5 includes a report on each state in the region. These *State Reports* are required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

In 2020, the *State Reports* for each of the ten HHS regions are being published together. For more information about the Substance Abuse and Mental Health Services Administration’s (SAMHSA’s) efforts in each HHS region, go to <https://www.samhsa.gov/about-us/who-we-are/regional-administrators>.

Time Period Covered by these *State Reports*: These *State Reports* primarily include data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *State Reports – Underage Drinking Prevention and Enforcement: Region 5*. Rockville, MD: SAMHSA.

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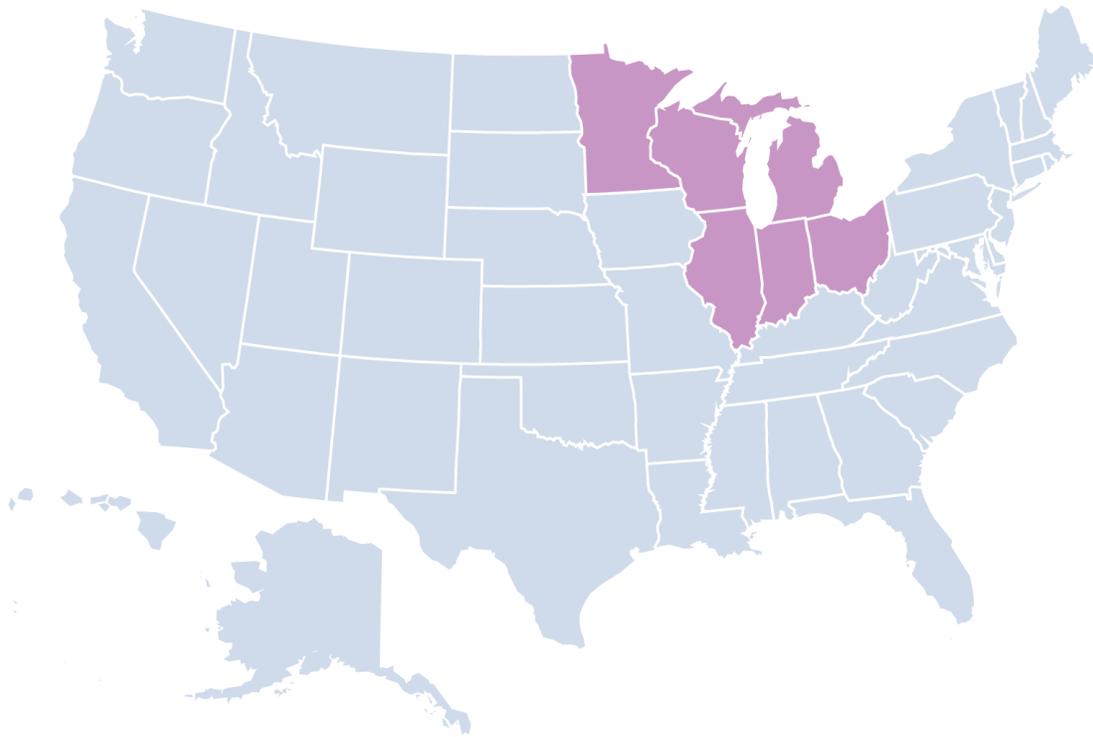
Contents: Region 5 (Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin)

As mandated by the STOP Act, the following state reports for Illinois, Indiana, Michigan, Minnesota, Ohio, and Wisconsin detail each state's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

A **regional profile** showing combined data on underage drinking is provided on the next page.

Each state report contains:

- A. State population and underage alcohol consumption data;**
- B. Summary of the state's behavioral health and substance use prevention, treatment, and recovery systems, including expenditures for substance abuse prevention and treatment;**
- C. State laws and policies:** These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:
 - (1) Laws addressing minors in possession of alcohol;
 - (2) Laws targeting underage drinking and driving;
 - (3) Laws targeting alcohol suppliers; and
 - (4) Laws affecting alcohol pricing.
- D. STOP Act State Survey data:** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:
 - (1) Enforcement programs to promote compliance with underage drinking laws and regulations;
 - (2) Programs targeted to youth, parents, and caregivers to deter underage drinking;
 - (3) State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns; and
 - (4) State expenditures on the prevention of underage drinking.



Region 5

Region Population: 52,461,850

Population Ages 12–20: 6,197,000

Past-Month Alcohol Use Among 12- to 20-Year-Olds

Past-Month Alcohol Use – Number (Percentage)	1,298,200 (20.9%)
Past-Month Binge Alcohol Use – Number (Percentage)	828,300 (13.4%)

Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21

Alcohol-Attributable Deaths (under 21)	692
Years of Potential Life Lost (under 21)	42,038

Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Content (BAC) > 0.01%¹

Number of Fatalities Involving a 15- to 20-Year-Old Driver With BAC > 0.01	43
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	46%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.



SAMHSA
Substance Abuse and Mental Health
Services Administration

ILLINOIS STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *2020 Illinois State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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Illinois

State Population: 12,741,080

Population Ages 12–20: 1,522,400

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	304,200 (20.0%)
Past-Month Binge Alcohol Use – Number (Percentage)	204,300 (13.4%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	9,200 (1.9%)
Past-Month Binge Alcohol Use – Number (Percentage)	3,700 (0.8%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	91,500 (17.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	55,700 (10.6%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	203,400 (39.3%)
Past-Month Binge Alcohol Use – Number (Percentage)	144,900 (28.0%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	192
Years of Potential Life Lost (under 21)	11,625
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	19
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	16%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Substance Abuse System Organization²

The Illinois Department of Human Services, Division of Alcoholism and Substance Abuse (IDHS/DASA), is the designated lead for substance abuse services in Illinois. DASA is an organizational unit within IDHS. DASA's enabling legislation requires that an annual plan for substance abuse be developed for a continuum of services related to prevention, early identification, treatment, and recovery.

Illinois Law Title 77: Public Health; Chapter X: Department of Alcoholism and Substance Abuse; Subchapter d: Licensure, Part 2060; Alcoholism and Substance Abuse Treatment and Intervention Licenses (hereinafter referred to as "Rule 2060") outlines the role of the Division to license, monitor, and fund services along the substance abuse prevention, intervention, treatment, and recovery continuum. Youth and adults are served within the same service system, except that any staff providing clinical services or any other supportive services for youth or adolescents must also undergo a Child Abuse and Neglect Tracking System (CANTS) background check (77 Ill. Adm. Code 2060.311). Licenses specify all levels of care and a designation of adult and or adolescent services. Individuals who are 16 and 17 years of age may be admitted as adults and individuals who are 18, 19 and 20 years of age may be admitted as adolescents, provided that the assessment of such individuals includes justification based on the person's behavior and life experience. Otherwise, the definition of youth is "a person who is at least 12 years of age and under 18 years of age" (77 Ill. Adm. Code 2060.103).

Key among IDHS/DASA responsibilities are the following: (1) design, coordinate, license, fund, and monitor community-based services throughout the state for the treatment of addictive disorders; (2) coordinate a statewide strategy among state agencies for the prevention, intervention, treatment, and rehabilitation of alcohol and other drug abuse and dependency; (3) establish policy related to substance abuse treatment; (4) promulgate regulations to provide appropriate standards for publicly and privately funded programs as well as for levels of payments to government funded programs providing alcohol and other drug abuse treatment services; (5) provide information to the general public regarding addictions, including public awareness campaigns on gambling and substance abuse; (6) promote, conduct, assist, or sponsor basic clinical epidemiological and statistical research into alcoholism and other drug abuse and dependency; and (7) coordinate the annual preparation and submission of the Department's application for the Substance Abuse Prevention and Treatment Block Grant (SABG) award.

Prevention

IDHS/DASA/Bureau of Prevention and Program Services (BPPS) substance use prevention programs were restructured during 2017 in response to changing local needs and to promote better utilization of limited prevention resources. These changes were needed due to the increasing impact of the opioid epidemic, local demographic shifts in youth populations, and to build upon previous successes and efforts. Resources are also allocated to assure workforce

² Extracted from fiscal year (FY) 2018/2019 – (Illinois) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

development opportunities are provided for all core program areas. Resources are also allocated to drive the collection of local youth data, increasing responsiveness to community needs.

The overall goals of the program are to: reduce 30-day rates of marijuana use among students in grades 8 to 12 through the use of evidenced-based curriculums, communication campaigns, education of marijuana paraphernalia retailers, and environmental scans focused on paraphernalia retailers; reduce the non-medical use of prescription drugs among students in grades 8 to 12 and adults through promotion of community drug take-back programs, evidence-based opioid focus sessions, communication campaigns, and social access messaging; and increase and/or maintain participation of public schools in the Illinois Youth Survey (IYS). The IYS is the data collection mechanism used to respond to local needs that surveys local youth in grades 8 to 12. Additional program activities/components include participation in the Substance Abuse and Mental Health Services Administration's (SAMHSA) National Prevention Week, Youth Advisory Committees, and local community resource guides.

The Substance Abuse Prevention Services (SAPS) program focuses prevention services in suburban, other urban, and rural areas of Illinois (excluding the City of Chicago). Most services are similar to Chicago Substance Abuse Prevention Services activities, except the primary focus of SAPS is alcohol prevention.

The State and/or Regional Substance Abuse Prevention Services (SRSAPS) program focuses on different areas of Illinois in which a larger regional or statewide response is needed to address specific identified substance use prevention needs. The overall goals of the program are to:

- Reduce alcohol, marijuana, and other drug use among 12- to 18-year-olds in urban, suburban, and rural areas in Illinois through use of youth leadership strategies; development of an Alcohol Policy Center for municipalities; provision of information and training to coaches, athletic directors, and parents of high school athletes; use of evidence-based curricula; and collaboration with key stakeholders.
- Reduce alcohol, marijuana, and other drug use among 18- to 25-year-old youth in urban, suburban, and rural areas in Illinois through the use of training and technical assistance; collaboration with institutions of higher education and key stakeholders; and engagement in the administration of the Core Survey.
- Reduce the nonmedical use of prescription drugs by youth and/or adults in urban, suburban, and rural areas in Illinois through prescriber education on effective prescribing practices, Medication-Assisted Treatment (MAT), and referral resources; and increase and/or maintain participation of area public schools in the IYS through collaboration with key stakeholders.

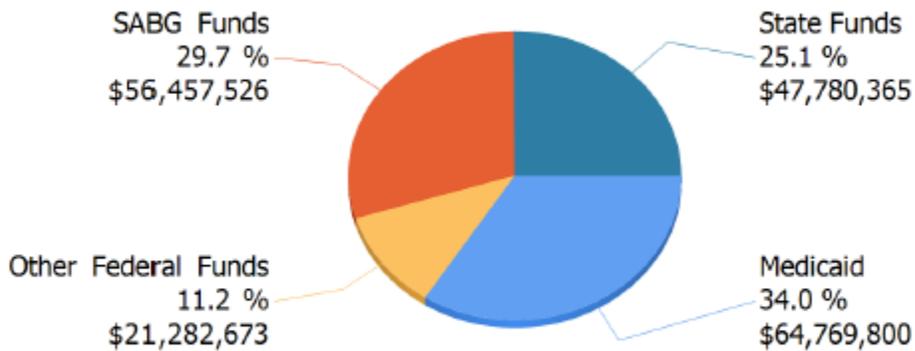
The Strategic Prevention Framework-Partnerships for Success (SPF-PFS) is a grant program that supports the use of the SPF process to reduce past 30-day alcohol use rates and negative consequences of underage drinking among youth in grades 8 to 12 in their designated service area. Funding supports prevention services in communities that have higher rates of underage drinking compared to the state average. The SPF is a 5-step planning process used by multisector coalitions to guide the selection, implementation, and evaluation of effective, culturally appropriate, and sustainable substance abuse prevention activities.

Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through SABG funds administered by SAMHSA. Exhibit 1 shows the sources that Illinois used for expenditures on substance abuse prevention and treatment in 2019. As indicated, Medicaid funds and SABG funds account for the largest sources (34.0 percent and 29.7 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Illinois designated increasing the percentage of youth prevention education services that demonstrate adherence to 80 percent of implementation fidelity standards as part of the number one priority for use of SABG funds.⁴

Exhibit 1: Sources of Illinois' 2019 Expenditures for Substance Abuse Prevention and Treatment



³ WebBGAS State Profile, 2019 SABG and MHBG Reports – Illinois 2019.

⁴ FY 2018/2019 – (Illinois) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Illinois' performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes, in specified locations – see below
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	Yes, in any private residence if parent/guardian is present or consents

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor’s driver’s license suspension?	Yes, through an administrative process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver’s licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No

Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.00%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	Not specified
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	180
Maximum number of days	180

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	9
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16

For night driving, when does adult supervision requirement begin?	10:00 PM (11:00 PM on Friday and Saturday)
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes, officer may stop driver for night driving violation
Are there restrictions on passengers?	Yes, no more than one passenger under 20, except for siblings and children
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18 (Passenger restrictions expire 12 months after issuance of license; unsupervised night driving restrictions remain until age 18)

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
Are there appearance requirements for the decoy?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third and subsequent offenses?	No data
What is the penalty for the first offense?	No data
What is the penalty for the second offense?	No data
What is the penalty for the third offense?	No data

What is the penalty for the fourth offense?	No data
Notes: From Illinois Liquor Control Commission website: It is unlawful to sell, serve, deliver or give alcoholic beverages to a person under 21 years of age or to any intoxicated person. Violation of this provision is a Class A Misdemeanor. Penalty: Minimum \$500.00 fine (maximum \$2,500.00); jail sentence of up to one year. Liquor licenses can also be fined, suspended, or revoked.	

Responsible Beverage Service (RBS)–Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes–Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-Premises
Does the RBS law apply to new or existing licensees?	Not specified

Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No

Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 100 feet.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 100 feet.
To which alcohol products does requirement apply?	Beer, Wine, Spirits
Notes: Exceptions are 1) hotels with restaurant service, regularly organized clubs, certain restaurants; 2) food shops and other places where alcohol sales are not principal business and location is not a municipality of more than 500,000 persons; 3) certain other specified licensees.	
Exemption to prohibition may be granted by liquor control commissioner if authorized by local rule or ordinance.	

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	Yes (For causes of action involving persons injured, killed, or incurring property damage on or after January 20, 2019, the judgment or recovery under the Liquor Control Act of 1934 for injury to the person or property of any person shall not exceed \$70,091; and for causes of action under the Liquor Control Act of 1934 for either loss of means of support or loss of society resulting from the death or injury of any person on or after January 20, 2019, the judgment or recovery shall not exceed \$85,666.89.)
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: The Dram Shop Statute requires the Illinois Comptroller to determine each year the liability limits for causes brought under the statute in accordance with the consumer price index during the preceding 12 months. See Illinois Comptroller, Dram Shop Liability Limits, on State of Illinois website.	

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties—Law Applicable to Hotel or Motel Rooms	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Other
What level of knowledge by the host is required?	Overt act: Host must have actual knowledge and commit act that contributes to party's occurrence
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No
Notes: Under 235 Ill. Comp. Stat. 5/6-16(d), a person commits a social host offense by renting a hotel or motel room for the purpose of or with the knowledge that such room shall be used for the consumption of alcoholic liquor by underage persons.	
Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	

Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.23
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No

• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.39
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$8.55
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No

• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	\$1.39 per gallon for alcohol content of more than 14% and less than 20%.

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (Permitted before 10 PM; maximum of 4 hours per day and 15 hours per week.)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)

Illinois State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Illinois Liquor Control Commission

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	No

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	No

State has a program to investigate and enforce direct sales/shipment laws Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors Illinois Liquor Control Commission

Such laws are also enforced by local law enforcement agencies No

Enforcement Statistics

State collects data on the number of minors found in possession Don't know

Number of minors found in possession¹ by state law enforcement agencies Not applicable

Number pertains to the 12 months ending Not applicable

Data include arrests/citations issued by local law enforcement agencies Not applicable

State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of retail licensees in state³ 23,581

Number of licensees checked for compliance by state agencies (including random checks) 1,337

Number of licensees that failed state compliance checks 229

Numbers pertain to the 12 months ending 06/30/2018

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 1,337

Number of licensees that failed **random** state compliance checks 229

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities No

Number of licensees checked for compliance by local agencies Not applicable

Number of licensees that failed local compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state⁴ 228

Total amount in fines across all licensees \$150,000

Smallest fine imposed \$500

Largest fine imposed \$4,000

Numbers pertain to the 12 months ending 06/30/2018

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state ⁵	15
Total days of suspensions across all licensees	31
Shortest period of suspension imposed (in days)	1
Longest period of suspension imposed (in days)	5
Numbers pertain to the 12 months ending	06/30/2018
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	06/30/2018

Additional Clarification

No data

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Beverage Alcohol Sellers and Servers Education and Training (BASSET)

Number of youth served	103,351
Number of parents served	24
Number of caregivers served	974
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	www.illinois.gov/ilcc

Program Description: The Beverage Alcohol Sellers and Servers Education and Training (BASSET) program trains sellers, servers, and bouncers on how to properly check IDs to prevent underage alcohol sales. BASSET also has other initiatives that focus on preventing over-service of alcohol to prevent alcohol-related incidents. The ILCC uses the Parental Responsibility Campaign/School program, which provides facts about the dangers of alcohol and other drugs. This statewide program is available to 8th grade students.

Substance Use Prevention Program

Number of youth served	211,528
Number of parents served	0
Number of caregivers served	0
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: Within the Substance Use Prevention Program, Substance Use Prevention Services (SUPS) and two State and Regional Substance Use Prevention Services (SRSUPS) providers deliver direct services geared toward underage drinking.

Substance Use Prevention Services (SUPS) are designed to assist communities in evaluating, addressing, and meeting their community's needs in the area of substance abuse prevention. SUPS support communities in implementing evidence- and community-based prevention services in suburban, other urban, and rural areas of Illinois (excluding the city of Chicago). Services under SUPS focus on (1) reducing the rate of alcohol use among youth in grades 8 through 12 and adults, (2) reducing the non-medical use of prescription drugs among youth in

grades 8 through 12 and adults, and (3) increasing and/or maintaining participation of public schools in the Illinois Youth Survey.

As part of program requirements, providers are required to deliver Core Services. The Core Services include:

- 1) Delivering the evidence-based model Youth Prevention Education;
- 2) Planning for and delivering two communication campaigns addressing underage drinking and non-medical use of prescription drugs;
- 3) Recruiting schools to participate in the administration of the Illinois Youth Survey (IYS);
- 4) Conducting two activities that focus on 1) underage drinking and alcohol misuse and the 2) prescription and opioid drug use that match the daily health themes according to SAMHSA's National Prevention Week;
- 5) Raising awareness regarding the drug take-back programs in the service area;
- 6) Establishing a Youth Advisory Committee; and
- 7) Developing a resource guide for the service area.

In addition to the Core Services, additional required services include collaboration and relationship-building with key community stakeholders, establishing and maintaining linkage agreements with schools where youth prevention education and communication campaigns will be delivered, and attendance and participation in required program trainings.

State and Regional Substance Use Prevention Services (SRSUPS) are designed to deliver services in a region (municipality and/or multiple counties with a total population of more than 1,000,000) or across the entire state. SRSUPS grants target youth leaders ages 12-18, municipalities, college students, high school athletes, youth in grades 6 through 12, and prescribers of opioids within their designated service area. As part of SRSUPS, two providers directly focus on youth drug and alcohol prevention. The Robert Crown Center utilizes school-based health education in the metropolitan Chicago area to address sex education and substance abuse prevention. The Mayor's Office for People with Disabilities is located in Chicago and utilizes youth prevention education that addresses the specific need of youth who are deaf or hard of hearing across Illinois.

Prevention First's Alcohol Policy Resource Center

Number of youth served	No data
Number of parents served	654
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	https://www.prevention.org/alcohol-policy-center/

Program Description: Prevention First's Alcohol Policy Resource Center provides training, education, resources, and tools supporting evidence-based alcohol policy strategies focused on underage drinking to municipalities, local officials, law enforcement, and community coalitions throughout Illinois.

Strategic Prevention Framework-Partnership for Success (SPF-PFS)

Number of youth served	189,814
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: The SPF-PFS grant is a 5-year project that supports eight sub-recipients and their multi-sector coalitions in using the SPF process to reduce past 30-day alcohol use rates and negative consequences of underage drinking among youth in grades 8 through 12. The SPF components are assessment, capacity building, strategic planning, implementation, and evaluation. Cultural competency and sustainability are expected to be addressed in every component of the framework.

Providers and their coalitions are supported in planning and delivering services in communities selected for this grant that had higher rates of underage drinking compared to the state average, per 2014 Illinois Youth Survey

data results. After funding and initial start-up, subrecipients began using a data-driven process to reduce underage drinking at the community level. The process involves (1) working with a local, multi-sector coalition that includes education, law enforcement, and a liquor license commission representative as required sectors; (2) completing a needs assessment process to inform the selection of strategies through a logic model process; (3) developing a local strategic plan to address underage drinking within their targeted community areas; and (4) implementing evidence-based strategies. Additionally, the SPF-PFS grant program seeks to address behavioral health disparities among racial and ethnic minorities and other populations by encouraging implementation of strategies to decrease differences in access, service use, and outcomes among the populations served.

The SPF ensures that a data-driven process serves as the structure to accomplish the following goals:

- 1) Decrease past 30-day alcohol use among youth in grades 8 through 12 and among identified vulnerable populations (where applicable);
- 2) Reduce the number of alcohol-related emergency department visits;
- 3) Reduce one or more of the following outcomes: perception of parental disapproval/attitude of underage drinking, perception of peer disapproval/attitude of underage drinking, perceived risk or harm of use of underage drinking, and family communication about alcohol use; and
- 4) Impact one or more contributing factors (also referred to as risk and protective factors) for underage drinking among youth in grades 8 through 12:
 - a) Perceived risk of harm associated with daily drinking and binge drinking;
 - b) Personal disapproval of youth alcohol use;
 - c) Perceived peer attitudes (norms) associated with youth alcohol use (e.g., how “cool” they would be perceived by peers if they used alcohol);
 - d) Perceived parental disapproval of youth alcohol use;
 - e) Perceived community (adult) disapproval of underage drinking;
 - f) Parental communication regarding their disapproval of youth alcohol use;
 - g) Parental monitoring of alcohol-related behavior (i.e., likelihood their parents would catch them if they drank alcohol, attended a party where alcohol is served, etc.);
 - h) Family rules about alcohol and drug use;
 - i) Perceived ease of access to alcohol; and
 - j) Access to different alcohol sources among past-year alcohol users (e.g., retail, social, and/or parent supply source).

Also:

- 1) The grant builds upon work of the State Epidemiological Outcomes Workgroup (SEOW) to enhance Illinois’ ability to identify and track emerging behavioral health priorities through stronger data infrastructure systems.
- 2) The state’s training and technical assistance contractor provides support to subrecipients throughout the SPF process via group trainings and individualized technical assistance.
- 3) The state’s evaluation contractor is responsible for all aspects of evaluation – training, data collection, analysis, and progress and outcome measure reporting. Further, the evaluation contractor shares findings/lessons learned with subrecipients, state project staff, and the funder’s national evaluation group to monitor progress, provide feedback, and improve the overall quality of prevention efforts.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: No data

Additional Clarification

The Substance Use Prevention Program reached 2,063,589 adults during the survey period. This value is not exclusive to parents; rather it is the number reached through SUPP strategies in the community. The SPF-PFS served 852,085 adults. This value is not exclusive to parents; rather, it is the number reached through SPF-PFS strategies in the community.

Additional Information Related to Underage Drinking Prevention Programs

<p><i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i></p> <p>Description of collaboration: Not applicable</p>	<p>No recognized tribal governments</p>
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<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns:	No
Regional and local media campaigns: Illinois supports a limited number of community-based local campaigns focused on preventing underage alcohol use.	Yes
Local school district efforts:	No
Other: Illinois developed a statewide campaign focused on underage alcohol use that is distributed throughout communities by a network of prevention providers (except within the city of Chicago).	Yes
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	No
State officially endorses TTHY efforts	Not applicable
State commits state resources for TTHY	Not applicable
State forwards TTHY materials to local areas	Not applicable
Other:	Not applicable
<i>State procures funding for TTHY</i>	Not applicable
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): SAMHSA/CSAP	Yes
Agency(ies) within your state: Illinois Department of Human Services Division of Substance Use Prevention and Recovery	Yes
Nongovernmental agency(ies): University of Illinois at Urbana-Champaign Center for Prevention Research and Development	Yes
Other:	No
Best practice standards description: Illinois requires the use of evidence-based programs and practices (EBP) as well as policies. Target populations are youth in grades 6 through 12. Implementation standards reviews are conducted prior to implementation to increase fidelity. Evidence-based standards are also promoted for other prevention strategies. For example, if a community-based provider proposes an underage drinking communication campaign, the provider is expected to address all of the standards for communication campaigns. Illinois supports an Alcohol Policy Resource Center, https://www.prevention.org/Alcohol-Policy-Center/ , which focuses solely on best practices for alcohol policy development and dissemination.	

Additional Clarification

Even though Illinois doesn't directly collaborate in the TTHY national media campaign, we encourage the use of TTHY materials throughout our prevention systems provider network. A number of prevention providers leverage Illinois resources to use TTHY materials. These activities include:

- 1) Providing the link on materials (posters, newspaper ads, and a resource booklet) focused on a parent communication campaign;
- 2) Adding a link to a resource flyer distributed during various meetings/functions and placed in various sites around community such as the hospital, the health department, and the local library;
- 3) Utilizing multilingual, campaign-focused banners at the entrances of all 12 schools in the service area, park districts, and police departments and changing banner style every year
- 4) Distributing the brochure in four languages
- 5) Sending emails directly from the school principal to parents referencing TTHY materials
- 6) Sharing and promoting public service announcement (PSA) videos on the Facebook page;

- 7) Promoting the TTHY campaign mainly through various social media platforms as well as through bimonthly newsletters and a number of the printed materials used as handouts during parent or community events;
- 8) Utilizing radio clips and posters to promote town hall meetings, including the “Communities Talk” Town Hall meeting flyer;
- 9) Partnering with a coalition to put together a bilingual town hall meeting with funding from the TTHY campaign;
- 10) Running ads and billboards for approximately 6 months;
- 11) Using messages (5 conversation goals and 60 one-minute conversations) in parent communication;
- 12) Playing YouTube commercials at coalition meetings and lock-in activities;
- 13) Ordering free campaign materials (e.g., table tents, small business cards, and postcards with campaign messages), providing these materials at coalition meetings and community events, encouraging distribution to their agencies or clients, and bringing materials to community presentations, such as parent education nights at middle and high schools;
- 14) Promoting conversation tips, talk simulator, and apps for mobile devices via coalitions' Facebook pages;
- 15) Creating parent and student success kits, including the TTHY print out on 5 conversation goals; and
- 16) Using the brochure and information card at various community events that involve parents, including school sporting events and back to school fairs.

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities No

Committee contact information:

Not applicable

Agencies/organizations represented on the committee:

Not applicable

Additional Agencies/organizations:

A website or other public source exists to describe committee activities Not applicable

URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years No

Prepared by: Not applicable

Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years Yes

Prepared by: University of Illinois Urbana-Champaign Center for Prevention Research and Development

Report can be accessed via: https://iys.cprd.illinois.edu/UserFiles/Servers/Server_178052/File/state-reports/2018/Freq18_IYS_Statewide.pdf

Additional Clarification

Underage alcohol use is one of the areas surveyed within the 2018 Illinois Youth Survey Statewide Frequency Report previously referenced.

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Checkpoints and saturation patrols:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:

Estimate of state funds expended \$1,915,190

Estimate based on the 12 months ending 06/30/2018

K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included:	Data not available
Estimate of state funds expended:	Data not available
Estimate based on the 12 months ending:	Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	Yes
Fines	Yes
Fees	Yes
Other: No data	No data

Description of funding streams and how they are used:

General Revenue Funds and the Youth Alcohol and Drug Prevention Fund are both used to support prevention providers' evidence-based community activities targeting underage drinking.

Additional Clarification

No data



SAMHSA
Substance Abuse and Mental Health
Services Administration

INDIANA STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *2020 Indiana State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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Indiana

State Population: 6,691,878

Population Ages 12–20: 799,800

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	154,200 (19.3%)
Past-Month Binge Alcohol Use – Number (Percentage)	101,300 (12.7%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	4,400 (1.7%)
Past-Month Binge Alcohol Use – Number (Percentage)	600 (0.2%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	39,100 (14.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	26,100 (9.5%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	110,600 (42.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	74,500 (28.5%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	92
Years of Potential Life Lost (under 21)	5,613
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	25
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	18%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Mental Health and Addiction Recovery System Overview²

Indiana has a statewide mental health and addiction recovery system that ensures treatment availability in all 92 counties through contracts with 25 community mental health centers and other specialty providers. In 90 counties, there is at least one satellite office of a community mental health center (CMHC). There is active outreach, coupled with the provision of transportation to the nearest CMHC facility for services, in the two counties without a satellite office. Indiana's measure of accessibility is that outpatient services are available in the county, an adjacent county, or within a 60-minute drive. The State of Indiana funds administered by the Division of Mental Health and Addiction (DMHA) are utilized for individuals with a serious mental illness and/or a substance use disorder, and that are at or below 200 percent of the Federal Poverty Level. This ensures that the limited funds are utilized by those most in need and least able to access mental health or addiction treatment services.

The CMHCs are required by Indiana Administrative Code and by contract to provide a defined continuum of care, or range of services, the provision of which is assured by a community mental health center or contracted addiction provider. The term includes the following:

- Individualized treatment planning to increase patient coping skills and symptom management, which may include any combination of the services listed under this section.
- Twenty-four hour crisis intervention.
- Case management to fulfill individual patient needs, including assertive case management when indicated.
- Outpatient services, including intensive outpatient services, substance abuse services, and treatment.
- Acute stabilization services including detoxification services.
- Residential services.
- Day treatment, partial hospitalization, or psychosocial rehabilitation.
- Family support.
- Medication evaluation and monitoring.
- Services to prevent unnecessary and inappropriate treatment and hospitalization and the deprivation of a person's liberty.

The number one priority area for Indiana is to promote mental health and to prevent addiction. A key player in prevention across Indiana is the Bureau of Mental Health Promotion and Addiction Prevention. The Bureau exists as part of the Division of Mental Health and Addiction, the Single State Authority (SSA), and provides oversight and administration of the 20 percent set aside of the Substance Abuse Prevention and Treatment Block Grant (SABG), the largest federal funding source in the state which is directed to alcohol, tobacco and other drug use prevention, to ensure funding that addresses statewide prevention priorities. The Bureau also manages a small portion of state funds which are allocated to the maintenance of the Synar program.

² Extracted from fiscal year (FY) 2018/2019 – (Indiana) State Behavioral Health Assessment and Plan, SABG, Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

Prevention Priorities

The State Epidemiological Outcomes Workgroup (SEOW) is responsible for determining state priorities for preventing and reducing substance use. After analyzing available data on risk and protective factors, substance use, and consequences, the SEOW determined priorities and set objectives to reduce use in these areas by 2020. The main factors considered in determining the priority areas were which substances affected the largest number of Hoosiers, including substances with the highest rates of use, the severity of the impact, and trends indicating an increase in use of a certain substance. State readiness to address the priorities was also considered.

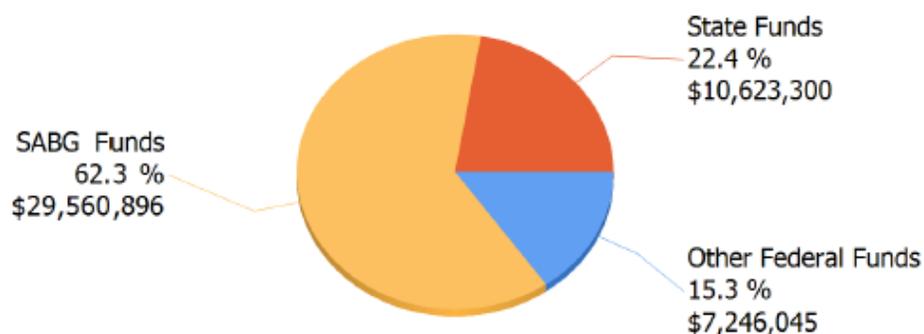
The substance abuse prevention priority areas for 2017 to 2020 were determined to be alcohol, tobacco, opioids, and mental health. The SEOW agreed to revisit these annually and to monitor the disturbing trend towards increased marijuana use for possible inclusion to the priorities next year.

Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through SABG funds, administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Indiana used for expenditures on substance abuse prevention and treatment in 2019. As indicated, SABG funds and state funds account for the largest sources (62.3 percent and 22.4 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Indiana designated preventing substance abuse among college students and others as part of the number one priority for use of SABG funds.⁴

Exhibit 1: Sources of Indiana's 2019 Expenditures for Substance Abuse Prevention and Treatment



³ WebBGAS State Profile, 2019 SABG and MHBG Reports – Indiana 2019.

⁴ FY 2018/2019 – (Indiana) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Indiana’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	No law
May youth purchase for law enforcement purposes?	Yes
Notes: Indiana does not have a statute that specifically prohibits purchase, but it does prohibit purchasing or attempting to purchase alcohol in connection with making a false statement or using false evidence of majority or identity. See Ind. Code § 7.1-5-7-1. APIS does not include laws with such limitations in the Purchase policy topic.	

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	No
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes

May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	No
<ul style="list-style-type: none"> Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)? 	Yes
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No
Notes: A permittee may retain an apparently false ID card provided as proof of age, if the permittee has received alcohol server training.	

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	Not specified
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No law
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> Purchase of alcohol 	N/A
<ul style="list-style-type: none"> Possession of alcohol 	N/A
<ul style="list-style-type: none"> Consumption of alcohol 	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)

Intermediate Stage	
What is the minimum age for driving without adult supervision?	16 years, 3 months (16 years, 9 months without driver education)
For night driving, when does adult supervision requirement begin?	10:00 PM (First 180 days, 10:00 PM; then, 11:00 PM Sunday through Friday and 1:00 AM on Saturday and Sunday)
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes, officer may stop driver for night driving violation
Are there restrictions on passengers?	Yes, no passengers except immediate family, unless accompanied by parent or a licensed driver at least 21 years old
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18 (Passenger restrictions expire 180 days after issuance of intermediate license; unsupervised night driving restrictions remain until age 18)

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	20.75
Are there appearance requirements for the decoy?	Yes, age-appropriate dress and grooming.
Does decoy carry ID during compliance check?	Prohibited
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated
Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No

What is the time period for defining second, third and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)–Mandatory	
Is there a state law pertaining to Beverage Service Training?	Yes–Mandatory
If training is mandatory, who must participate?	Licensees, Managers, Servers/Sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	19
Wine	19
Spirits	19
Does a manager or supervisor have to be present?	Yes

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	21
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	Yes

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 200 feet. School has authority to override state prohibition for grocery store, drug store, restaurant, hotel, and catering halls.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 200 feet. School has authority to override state prohibition for grocery store, drug store, restaurant, hotel, and catering halls.
To which alcohol products does requirement apply?	Beer, Wine, Spirits
Notes: Exceptions are 1) restaurants in historic places or districts; 2) shopping malls and city markets.	

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Knowledge of visible intoxication.)
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Knowledge of visible intoxication.)
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party

Does host’s preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser’s age before sale?	Yes
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser’s name?	Yes
Must the common carrier (deliverer) record/report recipient’s name?	No
Shipping label requirements	
Must the label state “Package contains alcohol”?	Yes
Must the label state “Recipient must be 21 years old”?	Yes
Notes: Brewers who manufacture not more than 90,000 barrels of beer in a single calendar year may ship up to one-half barrel of beer directly to Indiana consumers without being subject to the restrictions placed on wine shipments. Ind. Code § 7.1-3-2-7	

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 7.75
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (Maximum fine/jail, \$1,000)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No

Must warning information be given to purchaser?	Not Required
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes (6.75 to 15.75 gallons in a single transaction depending on the type of retail license)
Wine	Yes
Spirits	Yes (4 to 12 quarts in a single transaction depending on the type of retail license)

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.12
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Wine	
Control system for wine?	No

Specific excise tax per gallon for 12% alcohol wine	\$0.47
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.68
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	\$0.47 per gallon applies to an alcoholic beverage that contains 15% or less.

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Yes (Full Day Price Reductions not banned)
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

IN-Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (7 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (7 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (15 days)
Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (7 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (15 days)
Notes: All prices, discounts, or allowances offered by wholesalers shall be disseminated to customers in such a manner and for such a period of time to ensure that customers are afforded reasonable opportunity to secure the discount. For dissemination purposes, the customer is anyone the wholesaler had sold alcoholic beverages to within the last 30 days. For purposes of this rule, a reasonable opportunity to secure the discount shall be presumed when offer is extended for not less than 7 days after dissemination of the price list.	

Indiana State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
Indiana State Excise Police	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	Yes
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	Yes
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Indiana State Excise Police/Indiana Alcohol and Tobacco Commission
Such laws are also enforced by local law enforcement agencies	No
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	Yes
Number of minors found in possession ¹ by state law enforcement agencies	943
Number pertains to the 12 months ending	12/31/2018
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	Yes
Data are collected on these activities	Yes
Number of retail licensees in state ³	11,587
Number of licensees checked for compliance by state agencies (including random checks)	7,983
Number of licensees that failed state compliance checks	845
Numbers pertain to the 12 months ending	12/31/2018
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	Yes
Number of licensees subject to random state compliance checks/decoy operations	7,983
Number of licensees that failed random state compliance checks	845
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	No
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Yes
Number of fines imposed by the state ⁴	413
Total amount in fines across all licensees	\$235,500*
Smallest fine imposed	\$250

Largest fine imposed	\$1,000
Numbers pertain to the 12 months ending	12/31/2018
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state ⁵	0
Total days of suspensions across all licensees	0
Shortest period of suspension imposed (in days)	N/A
Longest period of suspension imposed (in days)	N/A
Numbers pertain to the 12 months ending	12/31/2018
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	12/31/2018

Additional Clarification

* For 1 C.1, the fine total above includes fines imposed and collected from establishments that may have received multiple charges in addition to the initial charge of Sale/Furnishing Alcohol to Minors.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Indiana Coalition to Reduce Underage Drinking (ICRUD)

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	43
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	http://www.icrud.org/

Program Description: The Indiana Coalition to Reduce Underage Drinking (ICRUD) is a statewide advocacy coalition which focuses on reducing underage drinking through environmental strategies, including stronger alcohol policies. ICRUD provides education, training, and technical assistance to organizations and communities addressing underage drinking. ICRUD is a subsidiary of Mental Health America of Indiana. ICRUD held 5 trainings that included 43 attendees in state fiscal year 2018. Many of the trainings are done via webinar and recorded so individuals who were not able to attend the live event are able to receive training.

Indiana Collegiate Action Network (ICAN)

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	61
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	http://www.indianacollegiateactionnetwork.com/

Program Description: The Indiana Collegiate Action Network ICAN provides a network for colleges and universities to address high-risk behaviors, including binge drinking and other drug use, and promote mental wellness among college-aged students. ICAN provides training, education, and technical assistance to campus professionals who

are addressing high-risk drinking and other high-risk behaviors. ICAN also conducts an annual survey to measure drinking and other drug use among college students. ICAN held four trainings that included 61 attendees in state fiscal year 2018. Three of the trainings were for BASICS training.

Partnerships for Success Communities

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: Indiana funds 10 counties through a discretionary grant from SAMHSA’s Center for Substance Abuse Prevention (CSAP). Six of those counties are implementing strategies to address underage drinking.

Certified Server Training Program

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	https://www.in.gov/atc/2659.htm

Program Description: Indiana state law requires completion of a certified server training program for persons holding an employee permit to dispense alcoholic beverages. The certification must be obtained no later than 120 days from the date of hire at an alcohol establishment. To assist permit holders in meeting this requirement, the Indiana Alcohol & Tobacco Commission (ATC) offers both online and in-person certified server trainings. Additionally, there are eight approved third-party online programs available to meet this requirement. In calendar year 2018, the ATC in-person and online courses trained a total of 4,162 persons.

School Based Evidence Based Practices Grants

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: The Division of Mental Health and Addiction funds 12 organizations to work with 168 individual schools across Indiana to implement programming that promotes mental wellness and prevention of substance use.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: Indiana also has local coordinating councils (LCCs) in all 92 counties. It is the responsibility of these councils to create a comprehensive plan to address substance use and its negative consequences across prevention, treatment, and law enforcement at the county level. As of the most recent (early 2019) survey of these Councils (80% response rate), the main substance they are addressing is alcohol. Of those addressing alcohol, 60% are focusing their efforts on grades 7-12.

Additional Clarification

Many of the groups listed in this section are not actual programs, but are groups funded by the State of Indiana to do prevention work locally or statewide. Many are implementing programs that address prevention of substance abuse and promotion of mental wellness. While these groups are not formally evaluated as a whole, we monitor

their progress with regard to the impact they are making on preventing substance use in their communities. Further, the programs they choose to implement are evaluated regularly.

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: Parents Who Host, Lose the Most	Yes
Regional and local media campaigns:	No
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
State officially endorses TTHY efforts	No
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	No
Other: The state of Indiana allows communities who receive funding to use those funds to implement TTHY locally. We have not made an official endorsement at this time.	Yes
<i>State procures funding for TTHY</i>	No
Pro bono	No
Donated air time	No
Earned media	No
Other:	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): SAMHSA, National Institute on Alcohol Abuse and Alcoholism (NIAAA)	Yes
Agency(ies) within your state: Evidence-Based Workgroup	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: Indiana has developed an evidence-based practice guide with support from SAMHSA, College AIM Matrix, and others. In addition, the evidence-based guide set a minimum standard for acceptable evidence-based programs, policies, and other practices. It also allows for waivers to be granted. The guide is currently undergoing an update and will have an expanded best practices section to provide clarity on a wide variety of evidence-based prevention practices (versus programs) including, but not limited to, those that impact underage drinking.	

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities No

Committee contact information:

Not applicable

Agencies/organizations represented on the committee:

Not applicable

A website or other public source exists to describe committee activities URL or other means of access: Not applicable	Not applicable
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Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years	Yes
Prepared by: Indiana Family and Social Services Administration's Division of Mental Health and Addiction Prevention Team	
Plan can be accessed via: https://www.in.gov/fssa/dmha/files/Strategic_Plan_Prevention.pdf	
State has prepared a report on preventing underage drinking in the last 3 years	Yes
Prepared by: Binge Drinking Trends Among Young Adults in 10 Indiana Counties, 2018	
Report can be accessed via: https://fsph.iupui.edu/doc/research-centers/binge-drinking-trends.pdf	

Additional Clarification

This report was completed as part of the Partnerships for Success project that funds 10 counties in Indiana.

State Expenditures for the Prevention of Underage Drinking

<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	\$50,000
Estimate based on the 12 months ending	06/30/2019
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$435,450
Estimate based on the 12 months ending	09/30/2019
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$3,107,000
Estimate based on the 12 months ending	06/30/2019
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$232,885.21
Estimate based on the 12 months ending	06/30/2018
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
<i>Other programs:</i>	
Programs or strategies included: Compliance checks in partnership with Indiana Excise Police	
Estimate of state funds expended:	\$237,607
Estimate based on the 12 months ending:	06/30/2019

Funds Dedicated to Underage Drinking

<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	Yes
Fees	Yes
Other: Not applicable	No

Description of funding streams and how they are used:

The fees and fines collected are disseminated to the LCCs in all 92 counties in Indiana. The LCCs use community assessments to address underage drinking and other substance abuse, misuse, prevention, and treatment.

Compliance checks are sponsored by the Gallonage Fund, which is tax-based.

Additional Clarification

The figure reported for compliance checks is the total amount that the Indiana Division of Mental Health and Addiction contracted with the Indiana ATC to do compliance checks on establishments that sell alcohol. This is not representative of the total amount needed and/or used by the ATC to complete the total number of checks indicated in question 1 B 1.a. It is the job of the ATC to do these underage inspections and we only supplement some of the funds needed to do so.

The goals of the programing provided to schools are to promote mental wellness and prevent the use of substances. This support is from the State of Indiana's Child Psychology funding. These organizations and schools implement multiple need-based programs. Other than funds used to conduct compliance checks, which are related to tax dollars and user's fees that are sent directly to counties for use by the local coordinating funds, there are no prevention funds allocated by the state. The efforts listed here primarily are supported by Substance Abuse Prevention and Treatment Block Grant funds. The community-based funding is for the 3 PFS communities that are solely targeting underage drinking. Although there are three other communities under this funding source that are targeting underage drinking and prescription drug use, it is difficult to determine how much of the awarded funds are being used toward underage drinking specifically.

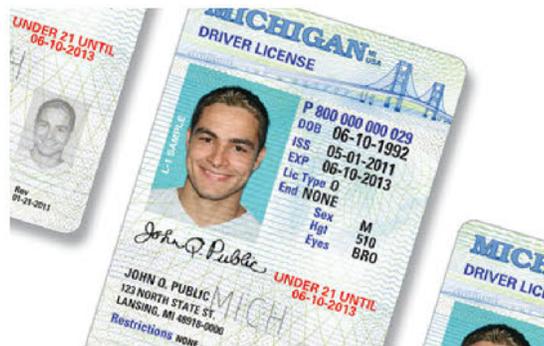
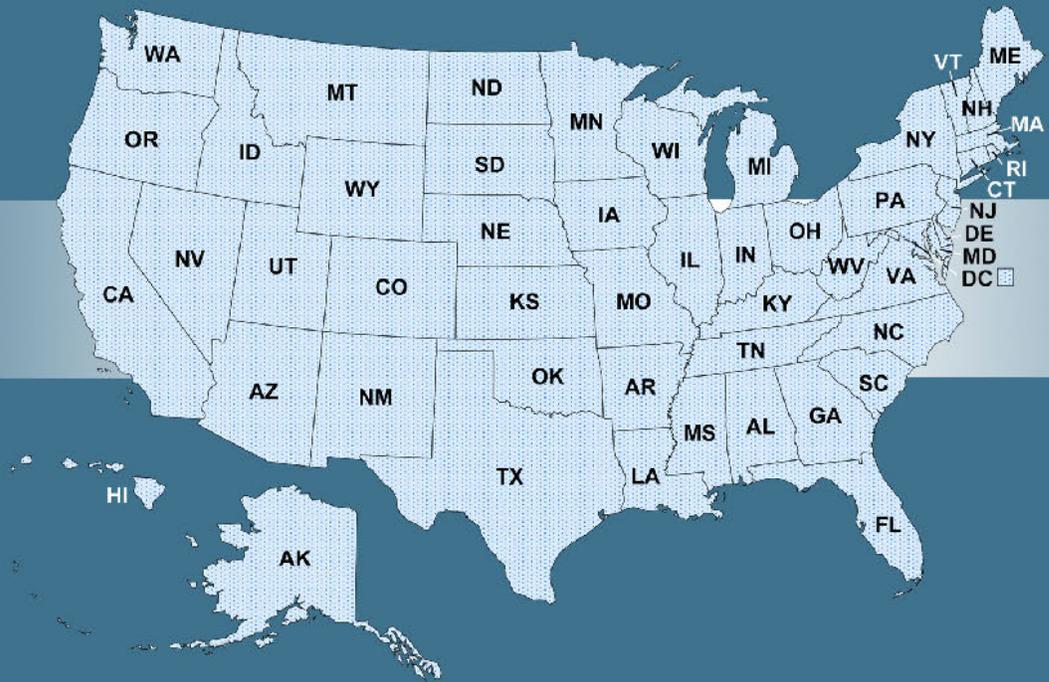


SAMHSA
Substance Abuse and Mental Health
Services Administration

MICHIGAN STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *2020 Michigan State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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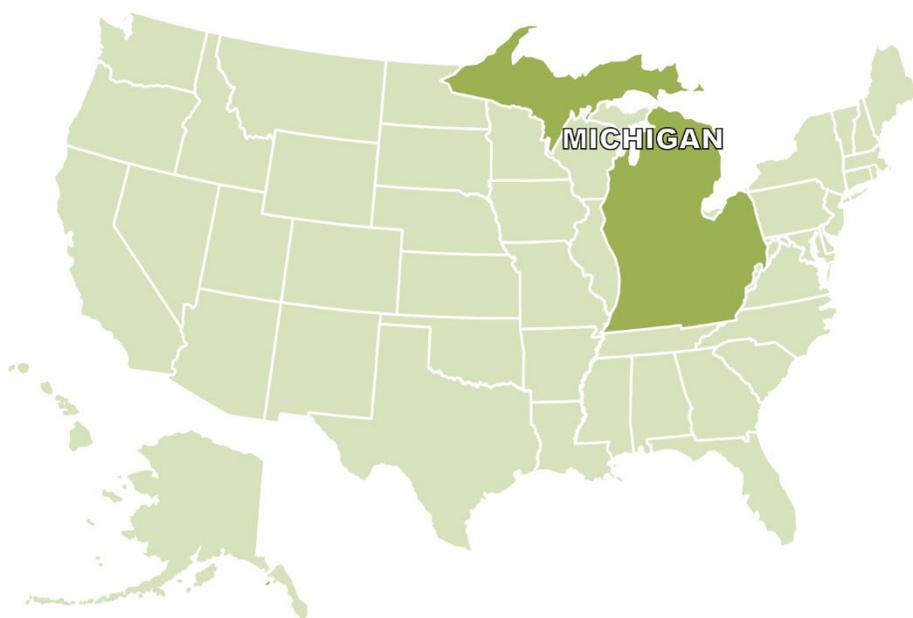
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Michigan

State Population: 9,995,915
Population Ages 12–20: 1,197,500

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	259,000 (21.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	170,200 (14.2%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	6,400 (1.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,200 (0.6%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	73,100 (17.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	42,900 (10.5%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	179,500 (42.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	125,100 (29.3%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	144
Years of Potential Life Lost (under 21)	8,752
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	18
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	17%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Behavioral Health System Overview²

In Michigan, behavioral health prevention, early identification, treatment, and recovery support systems are the primary responsibility of the state's mental health and substance use disorder (SUD) services authorities, collectively known as the Behavioral Health and Developmental Disabilities Administration (BHDDA), located within the Michigan Department of Health and Human Services (MDHHS). MDHHS, one of the largest of the 17 departments in Michigan's state government, is responsible for health policy and management of the state's publicly funded health and human service system. The Michigan Public Health Code, Public Act 368 of 1978 (as amended) Sections 6201 and 6203, and Public Act 500, establishes the state substance abuse authority (SSA) and its duties. BHDDA functions as the Michigan SSA and duties include the administration and coordination of public funds such as the Substance Abuse Prevention and Treatment Block Grant (SABG) for the prevention and treatment of substance abuse and gambling addictions.

MDHHS contracts with ten Prepaid Inpatient Health Plans (PIHPs) to manage Medicaid-funded specialty services and supports. Specialty behavioral health is carved out from the Medicaid Health Plans (MHP) managed care system, and first opportunity for the sole source management of these services is available to be earned by the 46 Community Mental Health Services Program (CMHSP) system through state defined PIHP regions. Additionally, MHPs manage comprehensive physical health services inclusive of outpatient mental health for the mild to moderate population. There is also a fee-for-service outpatient mental health benefit for Medicaid beneficiaries with a physician or psychiatrist for the very small number of persons not yet in an MHP (mostly persons in nursing home settings or persons awaiting choice of or assignment to an MHP).

The Office of Recovery Oriented Systems of Care (OROSC) functions as the SSA within MDHHS. Responsibilities include the administration of federal and state funding for substance abuse prevention, treatment, recovery, and gambling addiction. OROSC allocates SABG funding through ten regional PIHPs, whose responsibilities include planning, administering, funding, and maintaining the provision of substance abuse treatment and prevention services for 83 counties in Michigan. All PIHPs have Substance Use Directors and Prevention Coordinators (PCs), who receive input from and empower local communities in their response to substance abuse prevention needs. PIHPs contract with local prevention coalitions as providers to implement specific prevention activities in the target communities in their respective regions.

Substance Abuse Prevention

In alignment with SAMHSA's Strategic Plan, OROSC's approach to prevention aligns with the following goals: 1. Promote emotional health and wellness, prevent or delay the onset of and complications from substance abuse and mental illness, and identify and respond to emerging behavioral health issues; 2. Prevent and reduce underage drinking and young adult problem drinking; and 3. Prevent and reduce prescription drug and illicit opioid misuse and abuse. The

² Extracted from fiscal year (FY) 2018/2019 – (Michigan) State Behavioral Health Assessment and Plan, SABG, Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

overall purpose of OROSC prevention efforts is to utilize both community- and individual-level interventions to address the prevention priorities of reducing underage drinking among persons ages 12-20 and prescription drug misuse and abuse among persons ages 12-25. OROSC seeks to accomplish these goals by building upon and enhancing the current community substance abuse prevention infrastructure and capacity at the PIHP regional level by strengthening collaboration and partnerships, specifically with primary care providers, local intermediate school districts, school health centers, and the communities they serve.

Youth Programs

The majority of adolescent SUD programs in Michigan are considered co-occurring capable programs, as population trends show that the majority of adolescents with SUD also have a mental health concern. There are several residential programs in the state that offer services to the adolescent population, as well as numerous outpatient treatment centers. The population of children and youth who are at risk for mental, emotional, and behavioral disorders—including but not limited to addiction, conduct disorder, and depression—is not served through the SUD treatment system, but can access prevention and mental health services.

Expenditures for Substance Abuse Prevention and Treatment

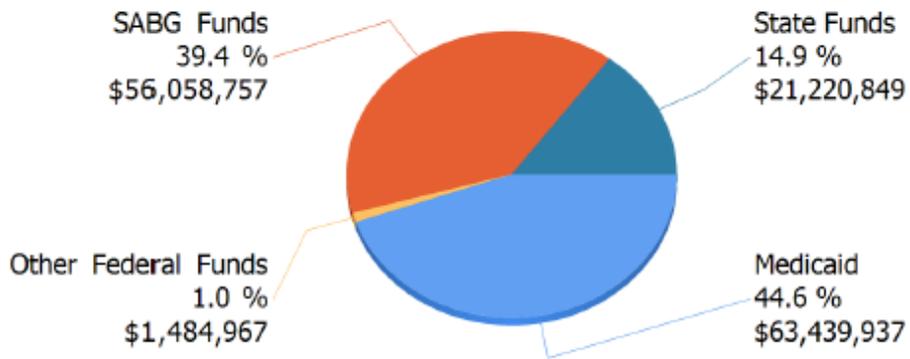
All states receive federal funds for substance abuse prevention through SABG funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Michigan used for expenditures on substance abuse prevention and treatment in 2019. As indicated, Medicaid funds and SABG funds account for the largest sources (44.6 percent and 39.4 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Michigan designated reducing underage drinking as priority number twelve for use of SABG funds.⁴

³ WebBGAS State Profile, 2019 SABG and MHBG Reports – Michigan 2019.

⁴ FY 2018/2019 – (Michigan) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of Michigan's 2019 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Michigan's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	No
• Is internal possession allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No
Notes: Prior to July 1, 2003, Michigan's operator's licenses and official state personal identification cards issued to a person who at the time of application was 20-1/2 years of age or less, indicated that the cardholder was less than 21 years of age. Although the authority of a retail licensee to confiscate an allegedly false identification is not explicit, the licensee shall present the alleged fraudulent identification to local law enforcement if it is in the possession of the licensee upon filing a police report concerning the violation. See also Affirmative Defense: Minor Not Charged in the Furnishing Alcohol to Minors policy topic.	

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.00%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	Not specified
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	No law
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	14 years, 9 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6

What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	10:00 PM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes, officer may stop driver for night driving violation
Are there restrictions on passengers?	Yes, no more than one passenger under age 21 who is not an immediate family member unless accompanied by driver's parent or designated adult 21 or older.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	Yes

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	18
What is the maximum age a decoy may be to participate in a compliance check?	19
Are there appearance requirements for the decoy?	Not specified
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Not specified
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third and subsequent offenses?	2 years
What is the penalty for the first offense?	Not more than \$1000
What is the penalty for the second offense?	Not more than \$1000
What is the penalty for the third offense?	Not more than \$1000 and license suspension or revocation
What is the penalty for the fourth offense?	Not specified

Responsible Beverage Service (RBS)–Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes–Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	Yes
• Discounts in dram shop liability insurance, license fees, or other	Yes
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	On-Premises
Does the RBS law apply to new or existing licensees?	Existing
Notes: Michigan provides for a liability insurance discount as an incentive for retailers to implement beverage service training. See Mich. Comp. Laws § 500.2405.	

Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18

Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: Mich. Comp. Laws § 436.1815 includes a responsible beverage service defense.	

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	Specific
What action by underage guest triggers a violation?	Possession /Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host’s preventive action protect him/her from being held liable?	Yes

Are there any exceptions for underage guests?	Yes – Family members and residents of household
Notes: Michigan's social host statute does not apply if all individuals attending the social gathering are members of the same household or immediate family, or if a minor's use, consumption, or possession of an alcoholic beverage is for religious purposes. The "preventive action" provision in Michigan allows the prosecution to establish guilt by proving that the host failed to take preventive action.	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Unclear
Wine	Unclear
Spirits	Unclear
Notes: Mich. Comp. Laws § 436.1203 held Unconstitutional by <i>Lebamoff Enterprises v. Snyder</i> , 347 F.Supp.3d 301, (E.D.Mich. Sep. 28, 2018), (NO. 17-10191), which is currently held in abeyance while under appeal.	

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	Yes
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes
Notes: A brewpub, a micro brewer, or an out-of-state entity that is the substantial equivalent of a brewpub or micro brewer may deliver beer and wine to the home or other designated location of a consumer in this state if delivered by the retailer's, brewpub's, or micro brewer's employee.	

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law

Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, this state is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.20
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A

If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.51
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	N/A
• General sales tax rate	N/A
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	N/A
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A

If retail tax rate applies, is there an exemption from general sales tax?	N/A
• General sales tax rate	N/A
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	N/A
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Wine	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (90 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
Beer	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (90 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Notes: Credit may be extended for a maximum of 30 days for on-sale retailers; no credit may be extended to off-sale retailers. With respect to beer, prices may be decreased during the 90-day minimum hold period to meet a competing wholesaler’s price. The price reduction cannot be greater	

on a cents-per-case basis than the price reduction filed by the competition and must continue for the balance of the 90 days filed by the competition. With respect to wine, prices filed shall not be changed during a quarterly period unless by written order of the commission. Approval for a price change shall not be granted for periods of less than 14 days. Credit may be extended for a maximum of 30 days for on-sale retailers; no credit may be extended to off-sale retailers.

Michigan State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
The Michigan Liquor Control Commission (MLCC)	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	No
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	No
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	MLCC
Such laws are also enforced by local law enforcement agencies	Don't know
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession ¹ by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
<i>State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of retail licensees in state ³	Approximately 20,000 licensees with 29,000 licenses
Number of licensees checked for compliance by state agencies (including random checks)	2,171
Number of licensees that failed state compliance checks	322
Numbers pertain to the 12 months ending	12/31/0018
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts random underage compliance checks/decoy operations</i>	
Number of licensees subject to random state compliance checks/decoy operations	Data not separately maintained.
Number of licensees that failed random state compliance checks	Data not separately maintained.
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	Data not available; voluntary submissions by law enforcement.
Number of licensees that failed local compliance checks	Data not available; voluntary submissions by law enforcement.
Numbers pertain to the 12 months ending	12/31/2018

Sanctions

<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Yes
Number of fines imposed by the state ⁴	Data not available
Total amount in fines across all licensees	Data not available
Smallest fine imposed	0/waived
Largest fine imposed	\$1,000 per charge
Numbers pertain to the 12 months ending	12/31/2018
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state ⁵	Data not available
Total days of suspensions across all licensees	Data not available
Shortest period of suspension imposed (in days)	0 days/waived
Longest period of suspension imposed (in days)	Data not available
Numbers pertain to the 12 months ending	12/31/2018
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed ⁶	Data not available
Numbers pertain to the 12 months ending	12/31/2018

Additional Clarification

Note: Some data is not available due to implementation of a new agency database in 2017 and inability to run certain reports to obtain the requested data since that time.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State**Michigan Coalition to Reduce Underage Drinking (MCRUD)**

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	http://www.mcrud.org

Program Description: The mission of the Michigan Coalition to Reduce Underage Drinking (MCRUD) is to provide leadership to state and national issues and to assist individuals, grassroots groups, and other organizations to reduce underage drinking locally. MCRUD provides training, technical assistance, and networking opportunities for local volunteer and professional groups working to address specific issues related to reducing underage drinking at the local level. In addition, MCRUD is actively participating in the revision of the statewide strategic plan to reduce underage drinking. Constituents include other statewide organizations, local professional prevention agencies, local public health departments, hospital staff, local teen centers, and volunteer groups (e.g., high school leadership groups, parent groups, and community coalitions).

Office of Recovery Oriented Systems of Care (OROSC)

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No

URL for evaluation report: Not applicable
 URL for more program information: www.michigan.gov/bhrecovery

Program Description: The Michigan Department of Health and Human Services (MDHHS) Office of Recovery Oriented Systems of Care (OROSC) currently allocates Substance Abuse Prevention and Treatment (SAPT) Block Grant funding, discretionary grant funding, and other state general funds to 10 Prepaid Inpatient Health Plans (PIHPs) substate regional entities. The PIHPs are responsible for planning, administering, funding, and maintaining the provision of substance abuse recovery, treatment, and prevention services for 83 counties in Michigan in accordance with MDHHS and OROSC priorities. A current OROSC priority is reducing underage drinking, and each PIHP employs a prevention coordinator to manage regional underage drinking prevention efforts. Programs are based on regional need and are a mix of targeted strategies aimed at either specific populations (selective and indicated) or the general population (universal).

Prevention Network (PN), Parenting Awareness Michigan (PAM)

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: www.preventionnetwork.org	

Program Description: Prevention Network (PN) is a private, nonprofit partner funded in part by OROSC. PN is involved in the established statewide infrastructure that works with high-need communities. Additionally, PN provides support, training, and technical assistance to grassroots community groups addressing underage drinking to offer a full continuum of substance abuse prevention services. As part of PN, Parenting Awareness Michigan (PAM) assists professionals, volunteers, and communities with local initiatives focused on effective parenting as a key factor in the prevention of underage drinking and other risk behaviors in children and youth. A statewide PAM Conference is held on an annual basis.

Do Your Part Campaign Website

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: www.michigan.gov/doyourpart	

Program Description: Do Your Part: Be the Solution is a program of the Michigan DHHS designed to educate Michigan citizens about the dangers and extent of substance abuse in Michigan, especially the abuse of prescription drugs, tobacco, and alcohol. The goal is to have everyone do their part and be the solution to substance abuse problems in Michigan when provided with the appropriate education and information. The "Do Your Part" video features five public service announcements (PSAs), highlighting individuals who share how they are doing their part to prevent underage drinking and inviting other adults to "Do Your Part." Segments of the video are available for free distribution as 30-second PSAs. This video was produced through collaboration with SAMHSA/CSAP's Underage Drinking Prevention Education Initiatives (UADPEI).

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking	Yes
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Description of collaboration: At the state level, the OROSC collaborates with both the Grand Traverse Band of Ottawa and Chippewa Indians (GTB) and the Little Traverse Bay Band of Odawa Indians by offering technical assistance as appropriate or requested. Both tribes have been members of the SEOW in the past, and there also is a partnership with the Inter-Tribal Council. In addition, substate regional PIHP entities may partner with these same tribes or other tribes in their respective geographical area.

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns: Talk. They Hear You.; National Drug & Alcohol Facts Week;	Yes
National Prevention Week	
Regional and local media campaigns: Talk Sooner; Be The Solution	Yes
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	Yes
Other: Created a statewide TTHY dissemination plan	Yes
<i>State procures funding for TTHY</i>	No
Pro bono	No
Donated air time	No
Earned media	No
Other:	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): SAMHSA; also previously National Registry of Evidence-Based Programs and Practices [NREPP]	Yes
Agency(ies) within your state: MDHHS/OROSC	Yes
Nongovernmental agency(ies):	No
Other:	No
Best practice standards description: MDHHS/OROSC has adopted overarching principles of effective prevention based on SAMHSA's SPF and National Mental Health & Substance Use Policy Laboratory as well as the previous NREPP program. In addition, OROSC takes best practice standards from the Surgeon General's Call to Action to Prevent and Reduce Underage Drinking (2007). OROSC requires that at least 90 percent of prevention programming within a substate PIHP region be evidence-based. In addition, specific guidelines for safe prom and graduation initiatives have been adopted and promoted through PN, MCRUD, and other avenues at the local level.	

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Mike Tobias

Email: miket@preventionnetwork.org

Address: P.O. Box 4458, East Lansing, MI 48826-4458

Phone: 517-393-6890

Agencies/organizations represented on the committee:

Bay County Prevention Network
 Berrien County Health Department/Voice. Change. Hope. Alliance
 CARE of Southeastern Michigan
 Catholic Charities of Genesee and Shiawassee Counties
 Detroit Wayne Mental Health Authority
 Genesee County Prevention Coalition
 Health Department of Northern Michigan/SAFE in Northern Michigan
 Holly Area Community Coalition
 Hope Network
 Huron County Health Department
 Ionia County Health Department
 Little Traverse Bay of Odawa Indians
 Michigan Council on Alcohol Problems
 Michigan Department of Health and Human Services/Alcohol Epidemiology Program
 Michigan Department of Health and Human Services/Office of Recovery Oriented Systems of Care
 Michigan Fetal Alcohol Spectrum Disorder Task Force
 Michigan Higher Education Network
 Northcare Network
 Northern Michigan Regional Entity
 Oakland Community Health Network
 Prevention Network
 Prevention Works /Kalamazoo County Substance Abuse Task Force
 Region 10 PIHP
 Sacred Heart Rehabilitation (Bay County)
 Saginaw County Prevention Coalition
 Southwest Michigan Behavioral Health
 St. Clair County Health Department
 Stop Underage Drinking/Drugs Coalition (SUDDs Coalition)
 The Youth Connection
 Youth Protection Council

<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: www.mcrud.org	

Underage Drinking Reports

<i>State has prepared a plan for preventing underage drinking in the last 3 years</i>	Yes
Prepared by: OROSC, as part of its overall strategic plan. In addition, via work plan contact with PN, a more detailed UAD specific plan has been developed.	
Plan can be accessed via: www.michigan.gov/bhrecovery	

<i>State has prepared a report on preventing underage drinking in the last 3 years</i>	Yes
Prepared by: OROSC completed the report as part of the State Epidemiology Profile.	
Report can be accessed via: www.michigan.gov/bhrecovery	

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

<i>Compliance checks in retail outlets:</i>	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2018
<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2018
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$1,650,383

Estimate based on the 12 months ending	09/30/2018
<i>K-12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$2,027,263
Estimate based on the 12 months ending	09/30/2018
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$64,062
Estimate based on the 12 months ending	09/30/2018
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$143,048
Estimate based on the 12 months ending	09/30/2018
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$7,600
Estimate based on the 12 months ending	09/30/2018
<i>Other programs:</i>	
Programs or strategies included: Alcohol Vendor Education, Party Patrols, Alcohol Compliance Checks, UAD Enforcement Training, UAD Adjudication Training for Juvenile Court Staff, and Community Scan Train-the-Trainer Course for law enforcement and probation officers	
Estimate of state funds expended:	\$339,239
Estimate based on the 12 months ending:	09/30/2018

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	Yes
Fines	Yes
Fees	Yes
Other: No data	No data

Description of funding streams and how they are used:

Fines for violations as well as license and renewal fees are used to fund controlled-buy operations through the MLCC. Taxes also are used in this manner. In addition, a portion of Public Act 2 tax dollars are returned to counties to fund substance abuse prevention and treatment. The State General Fund is used with the community grant to PIHPs to fund UAD prevention services.

Additional Clarification

No data

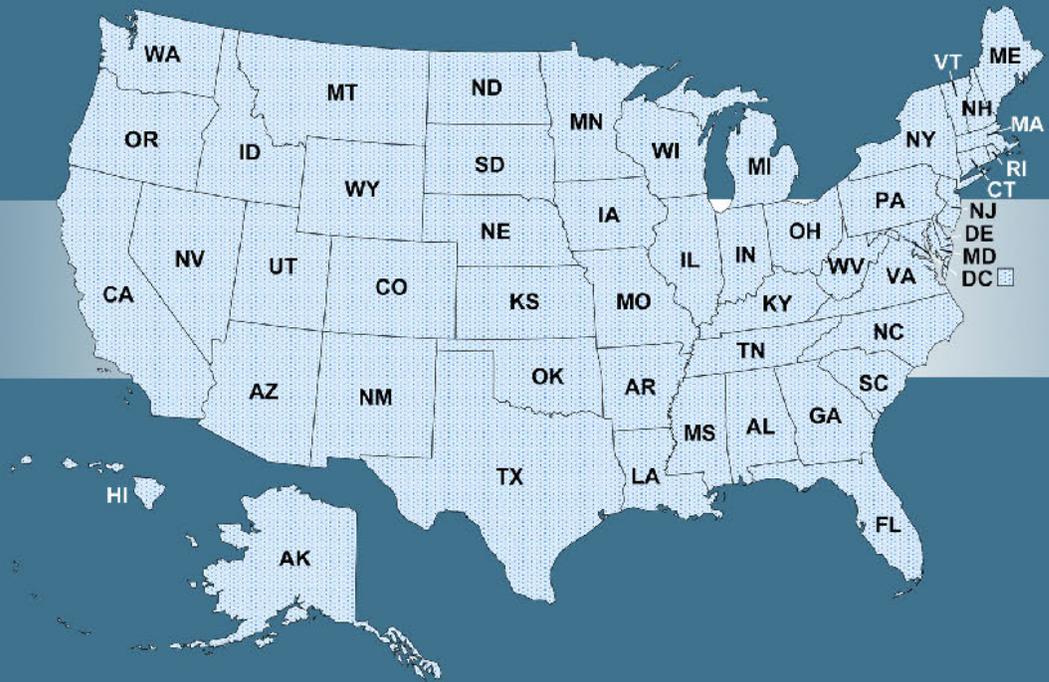


SAMHSA
Substance Abuse and Mental Health
Services Administration

MINNESOTA STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *2020 Minnesota State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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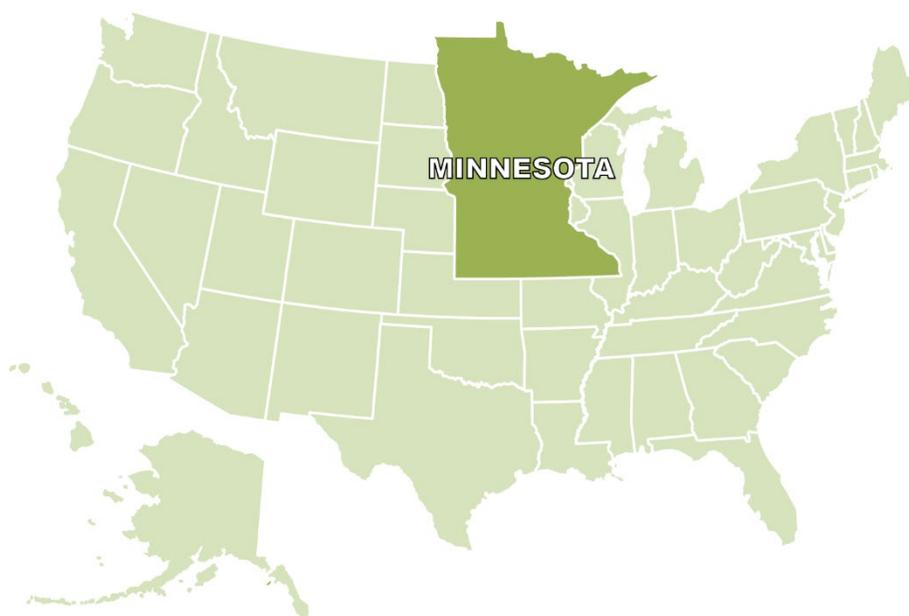
Gertrude Matemba-Mutasa

Assistant Commissioner for Community Supports

Minnesota Department of Human Services

Phone: (651) 431-4859

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Minnesota

State Population: 5,611,179

Population Ages 12–20: 641,700

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	140,100 (21.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	82,200 (12.8%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	4,300 (2.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,700 (1.3%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	34,600 (15.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	13,300 (5.8%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	101,200 (48.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	66,300 (31.5%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	50
Years of Potential Life Lost (under 21)	3,037
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	9
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	14%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Substance Use Disorder and Mental Health System Overview²

Within Minnesota's public substance use disorder (SUD) and mental health system, three governmental systems have responsibilities for funding and assuring quality substance abuse and mental health services:

1. The Minnesota Department of Human Services (DHS)
 - Community Supports Administration (CSA)
 - Mental Health Division (MHD)
 - Alcohol and Drug Abuse Division (ADAD)
 - State Mental Health Authority (SMHA)
 - State Substance Abuse Authority/Single State Authority (SSA)
 - State Medicaid Agency
2. The local mental health authority (the county board of commissioners and its administrative agency, or multicounty mental health authority)
3. American Indian Tribal Governments

Substance Use Disorder Services

The following services, provided under a licensed program of care, are covered by the Consolidated Chemical Dependency Treatment Fund (CCDTF) and Managed Care Organizations (MCOs):

- SUD Treatment
 - Hospital-based inpatient treatment
 - Nonresidential treatment
 - Residential treatment
 - Room and board (when CD treatment is currently authorized and used)
- Detoxification as part of a plan of care for SUD treatment
- Service Coordination (Rule 31)
- The following services will be covered as a result of the 2017 SUD Reform, pending federal approval from CMS:
 - Comprehensive Assessment (when provided by a qualified clinician)
 - Peer Recovery Support Services (when provided by certified provider)
 - Recovery Peer Care Coordination (when provided by a qualified provider)

These services may be provided under a licensed program of care, as the services above, or by eligible vendors outside of a licensed program, as approved by the Commissioner.

The mission of the ADAD is to develop and maintain an effective chemical health service system in Minnesota that encourages and supports research-informed practices; expands the use of successful models; and systematically monitors outcomes. This mission is based upon a vision for Minnesota where all have hope and support to end addiction, one person at a time. ADAD is the policy division overseeing substance abuse prevention and treatment services and was created in 1973 with the adoption of the Alcohol and Drug Abuse Treatment Act.

² Extracted from fiscal year (FY) 2018/2019 – (Minnesota) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

Through the Consolidated Chemical Dependency Treatment Fund, ADAD provides funding for chemical dependency treatment for individuals who are on or eligible for Medical Assistance and do not have third party coverage. SUD prevention is delivered statewide via competitive grants to local coalitions. ADAD works with various organizations throughout the state to provide education and awareness funds for alcohol, tobacco, and other drugs (ATOD) use/abuse prevention/treatment/public policy. ADAD provides ATOD prevention grants to communities and local nonprofit organizations to implement federally designated evidence-based prevention programs and enact environmental prevention strategies.

ADAD is not only a funding entity, but a policy entity, providing data and analysis to the executive and legislative branches of government to inform decisions at those levels. ADAD is responsible for developing laws and rules governing elements necessary for organizations to receive licensure to provide treatment in various settings. The division is comprised of seven sections: Prevention and Compulsive Gambling, Clinical Services, Legislation and Communications, American Indian, Data, Tobacco Prevention and Control, and Financial Operations.

SUD treatment is provided via a statewide service delivery network which utilizes fee-for-service and prepaid health plans. Assessment for need and placement occurs via county, tribal, and managed care organizations, and with the recent SUD Reform, via direct access to a provider of patient's choice. Adolescent treatment is part of this state-funded, county-administered system of care along with tribal and managed care organizations.

Expenditures for Substance Abuse Prevention and Treatment

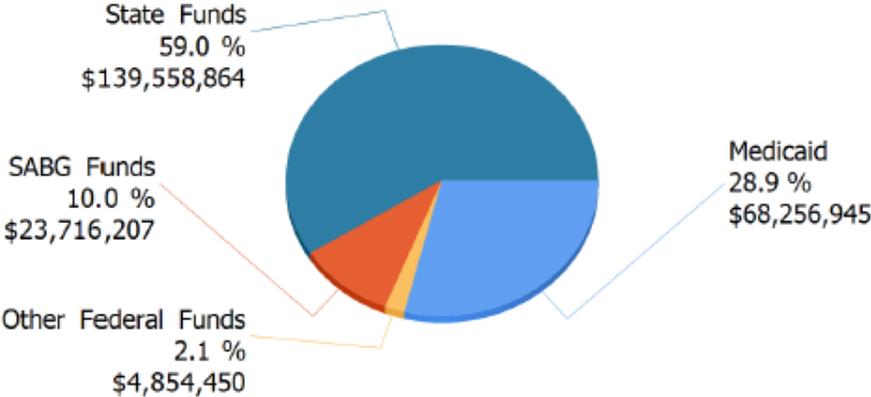
All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Minnesota used for expenditures on substance abuse prevention and treatment in 2019. As indicated, state funds and Medicaid funds account for the largest sources (59.0 percent and 28.9 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Minnesota designated reducing the 30-day alcohol use rate among 7 to 12th grade youth as the goal of priority number four for use of SABG funds.⁴

³ WebBGAS State Profile, 2019 SABG and Community Mental Health Block Grant (MHBG) Reports – Minnesota 2019.

⁴ FY 2018/2019 – (Minnesota) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of Minnesota’s 2019 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Minnesota's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	Yes, in parent/guardian's home only

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes, in specified locations – see below
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	Yes, in parent/guardian's home only if parent/guardian is present or consents

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A
Notes: Although Minnesota does not prohibit Internal Possession as defined by APIS, it has a statutory provision that makes it unlawful "[f]or any person under the age of 21 years to consume any alcoholic beverages" and further defines "consume" to " [include] the ingestion of an alcoholic beverage and the physical condition of having ingested an alcoholic beverage." Minn. Stat. § 340A.503. Laws that prohibit minors from having alcohol in their bodies, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession as defined by APIS.	

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No

Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	Yes
<ul style="list-style-type: none"> Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)? 	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.00%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	Not specified
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	No law
What types of violation lead to license suspension or revocation?	
<ul style="list-style-type: none"> Purchase of alcohol 	N/A
<ul style="list-style-type: none"> Possession of alcohol 	N/A
<ul style="list-style-type: none"> Consumption of alcohol 	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6

What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (15 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12:00 AM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes, officer may stop driver for night driving violation
Are there restrictions on passengers?	Yes, for first 6 months, no more than 1 passenger under 20 who is not an immediate family member, unless accompanied by driver's parent or guardian. For second 6 months, no more than 3 passengers under 20, unless accompanied by driver's parent or guardian.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17 (Passenger restrictions expire 12 months after obtaining intermediate license; unsupervised night driving restrictions expire 6 months after issuance of intermediate license)

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes, in specified locations
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	Yes, in parent/guardian's home only if parent/guardian supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	Not specified
What is the maximum age a decoy may be to participate in a compliance check?	20

Are there appearance requirements for the decoy?	Yes, dress as they normally would. No disguises and no special makeup.
Does decoy carry ID during compliance check?	Prohibited
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)–Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes–Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	Yes
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-premises
Does the RBS law apply to new or existing licensees?	Existing
Notes: Minnesota provides for a reduced license fee as an incentive for retailers to implement beverage service training, among other programs. See Minn. Stat. § 340A.408(3)(c)(1).	

Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
Notes: In Minnesota, the minimum permitted age to sell 3.2% malt liquors for off-premises consumption is not specified.	

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
Notes: Prior to July 1, 2007, minors who had reached the age of 17 could be employed to provide waiter or waitress service in rooms or areas where the presence of 3.2% "malt liquor" was incidental to food service or preparation. Minnesota defines "3.2% malt liquor" as any beer, ale, or other malt beverage containing not more than 3.2% alcohol by weight. Beginning on July 1, 2007, minors who have reached the age of 16 may be so employed.	

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 1,500 feet of a public school, if not within a city.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 1,500 feet of a public school, if not within a city.
To which alcohol products does requirement apply?	Beer, Wine, Spirits

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: Minn. Stat. § 340A.801(6) states that nothing in Chapter 340A, Minnesota's alcohol beverage control law, "precludes common law tort claims against any person 21 years old or older who knowingly provides or furnishes alcoholic beverages to a person under the age of 21 years." The age limitation applied to the furnisher and the "knowingly" evidentiary requirement results in a "no" coding for dram shop common law liability.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (Social host must be 21 years of age or older.)
Does the statute limit elements or standards of proof?	Yes (Knowingly or recklessly furnishing alcohol to a minor or permitting consumption by a minor.)
Does common law social host liability exist?	No
Notes: Minn. Stat. § 340A.801(6) states that nothing in Chapter 340A, Minnesota's alcohol beverage control law, "precludes common law tort claims against any person 21 years old or older who knowingly provides or furnishes alcoholic beverages to a person under the age of 21 years." The age limitation applied to the furnisher and the "knowingly" evidentiary requirement results in a "no" coding for social host common law liability.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No law
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	No
Must the common carrier (deliverer) be approved by a state agency?	No

Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	Equal to or more than 7.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (Maximum fine/jail, \$1,000/90 days)
What purchaser information is collected?	
Must the retailer collect the name and address?	No
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Yes, passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes
Are restrictions based on Alcohol by Volume (ABV)?	Yes (80% or more)
Are there exceptions to restrictions?	Yes (Spirits aged in wood casks for not less than two years)

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.15

Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Additional taxes for 3.2 – 6% alcohol beer if applicable	\$0.08 per gallon for beverages containing an alcohol content of 4% or less.
Notes: With respect to malt liquor containing 4% alcohol or less, the 2.5% Retail Tax is only applied when sold at an on-sale or off-sale municipal liquor store or other establishment licensed to sell any type of intoxicating liquor.	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.30
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant

<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$5.03
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law

Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	Restricted
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
Are volume discounts to retailers allowed?	Restricted
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Notes: For wine, a variable volume price offered by a wholesaler to a retailer may not be for a quantity of more than 25 cases. For spirits, a variable volume price offered by a wholesaler to a retailer may not be for a quantity of more than 25 cases.	

Minnesota State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Minnesota Department of Public Safety

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws	Don't know
Primary state agency responsible for enforcing laws addressing direct sales/shippments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Not applicable

Enforcement Statistics

State collects data on the number of minors found in possession ¹	No
Number of minors found in possession ¹ by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable

State conducts underage compliance checks/decoy operations ² to determine whether alcohol retailers are complying with laws prohibiting sales to minors	No
Data are collected on these activities	No
Number of retail licensees in state ³	26,732 per most recent survey, 2015 DPS Performance Report
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable

State conducts random underage compliance checks/decoy operations	Not applicable
Number of licensees subject to random state compliance checks/decoy operations	Not applicable
Number of licensees that failed random state compliance checks	Not applicable

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors	Yes
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Sanctions

State collects data on fines imposed on retail establishments that furnish to minors	No
Number of fines imposed by the state ⁴	Not applicable
Total amount in fines across all licensees	Not applicable
Smallest fine imposed	Not applicable

Largest fine imposed	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	No
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Additional Clarification

No data

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Native American Indian Prevention Program

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: The state makes available funds to support prevention programming aimed at the prevention of alcohol misuse/abuse among Native American youth.

Planning & Implementation Community Coalition Grants

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: Funded using federal Block Grant dollars. These community coalition focused grants have a primary goal of reducing youth alcohol use. They use a variety of strategies to accomplish this goal including: environmental change, enforcement, and a media campaign focused on positive community norms. The media campaign uses posters, billboards, take-away items (water bottles, conversation starter cards, tote bags, etc.) that are imprinted with a positive norm message. Messages stem from a local community youth survey of perceptions and actual use behavior. We are finding that the perceptions of youth alcohol use are usually much higher than the actual use rates. By exposing these inconsistencies, we are reinforcing the positive norm that 'most community youth don't use.' This encourages young people to be like the norm and not use. We have seen significant improvements in reducing youth alcohol use over the years we've implemented the grant program. Grantees are funded for five years and restricted from applying for continuation funding through this

program. Many grantees go on to apply and often receive funding through the Drug-Free Communities grant program.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: Minnesota provides funding support to several federally recognized American Indian Nations in Minnesota, including Red Lake, Bois Forte, Fond du lac, Grant Portage, Lower Sioux, Mille Lacs, Prairie Island, Upper Sioux, and White Earth,

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing No

Description of program: Not applicable

State collaborates with/participates in media campaigns to prevent underage drinking No

Federal campaigns: Not applicable
 Regional and local media campaigns: Not applicable
 Local school district efforts: Not applicable
 Other: Not applicable

State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.” Not applicable

State officially endorses TTHY efforts: Not applicable
 State commits state resources for TTHY: Not applicable
 State forwards TTHY materials to local areas: Not applicable
 Other: Not applicable

State procures funding for TTHY Not applicable

Pro bono: Not applicable
 Donated air time: Not applicable
 Earned media: Not applicable
 Other: Not applicable

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Agencies/organizations that established best practices standards:
 Federal agency(ies): No
 Agency(ies) within your state: The American Indian Program Section of the DHHS Behavioral Health Division Yes
 Nongovernmental agency(ies): No
 Other: No

Best practice standards description: The American Indian Program Section works with local American Indian Nations to determine best practices based on the cultural strengths of each Nation. In addition, the American Indian section is advised by the Behavioral Health Division’s American Indian Advisory Council to determine best practices for these communities.

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities No

Committee contact information:

Not applicable

Agencies/organizations represented on the committee:

Not applicable

Additional Agencies/organizations:

A website or other public source exists to describe committee activities Not applicable
 URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years No

Prepared by: Not applicable
 Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years No

Prepared by: Not applicable
 Report can be accessed via: Not applicable

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking*Compliance checks in retail outlets:*

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Checkpoints and saturation patrols:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:

Estimate of state funds expended \$383,320
 Estimate based on the 12 months ending 06/30/2018

K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs targeted to institutes of higher learning:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs that target youth in the juvenile justice system:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs that target youth in the child welfare system:

Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Other programs:

Programs or strategies included: Data not available
 Estimate of state funds expended: Data not available
 Estimate based on the 12 months ending: Data not available

Funds Dedicated to Underage Drinking*State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes No data
 Fines No data
 Fees No data
 Other: No data

Description of funding streams and how they are used:

No data

Additional Clarification

No data

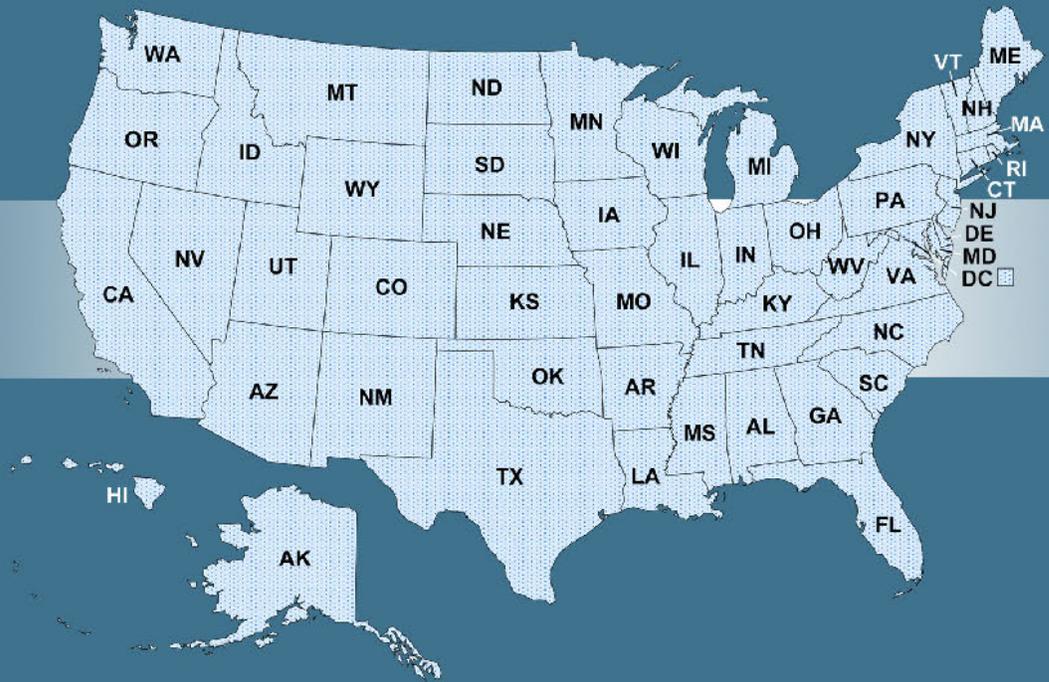


SAMHSA
Substance Abuse and Mental Health
Services Administration

OHIO STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *2020 Ohio State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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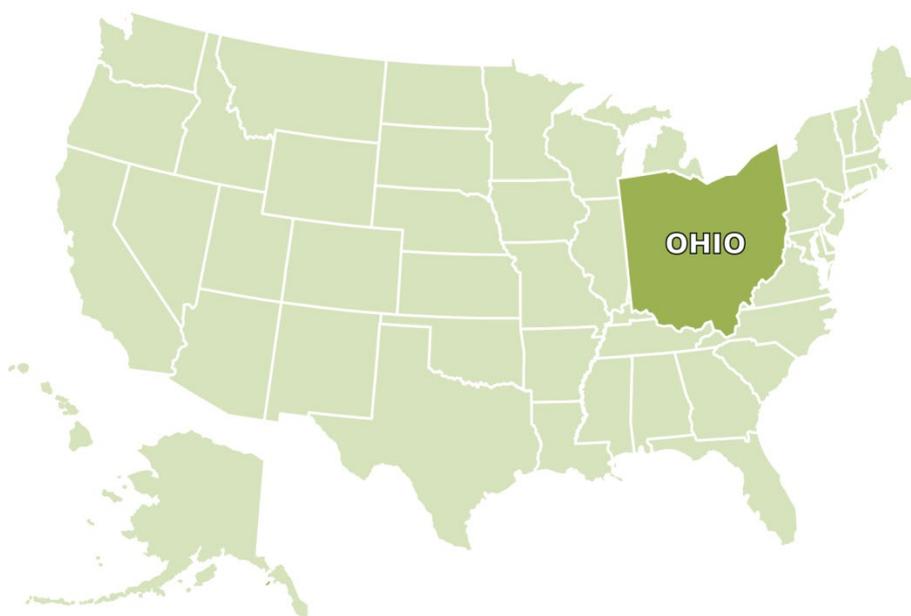
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Ohio

State Population: 11,689,442

Population Ages 12–20: 1,370,100

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	276,400 (20.2%)
Past-Month Binge Alcohol Use – Number (Percentage)	180,300 (13.2%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	12,300 (2.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	5,700 (1.3%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	67,300 (14.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	39,700 (8.6%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	196,800 (42.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	134,900 (28.9%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	142
Years of Potential Life Lost (under 21)	8,667
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	14
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	10%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Behavioral Health System Overview²

Ohio has a county-operated, state-supervised behavioral health system in a “home rule” state in which local behavioral health tax levies provide additional resources for recovery supports in most communities. Ohio’s Block Grant Plan is integrated with Community Plans developed by Ohio’s county behavioral health authorities (Alcohol Drug Abuse and Mental Health Services [ADAMH] Boards). These Boards plan, evaluate, and fund mental health and addiction services in 50 county and multicounty “Board” areas serving 88 counties. The Boards contract with a wide range of providers for prevention, treatment, and recovery support, and are prohibited by state law from providing treatment services with some exceptions.

With the expansion of Medicaid in Ohio, community behavioral health treatment providers receive a substantial portion of their revenue from the Ohio Department of Medicaid (ODM) and are licensed or certified by the Ohio Department of Mental Health and Addiction Services (OhioMHAS). Some “Medicaid only” providers do not contract with the county boards, and many of the larger providers have expanded into multiple counties across the state. Mental health and addiction services provided in primary care clinics, community hospital emergency rooms, and federally qualified health care centers are part of the behavioral health services available to Ohioans but are not addressed in this plan, because they are not licensed, certified, or operated by OhioMHAS. As a result, Ohio has a very complex behavioral health care system that will continue to evolve in response to changes in federal and state policies.

The Ohio Departments of Alcohol and Drug Addiction Services and Mental Health were consolidated and became OhioMHAS, a single cabinet-level agency. OhioMHAS has integrated substance use disorder (SUD) and mental health ideology into all of its work and will continue to build on this integration during state fiscal year (SFY) 2018–2019, while also continuing to be mindful that differences still exist between the conditions and the populations.

Prevention System

Ohio has a wide range of prevention providers. Each ADAMH Board plans services which meet the needs of the local population, and builds on the institutions, organizations, and personal relationships that shape local systems of care. Many boards use a portion of their local tax levy to support prevention efforts which are tailored to the needs of the population in their communities which can lead to a more culturally sensitive system of care.

OhioMHAS has found that community coalitions are the single most effective means of promoting alcohol, tobacco, and other drug (ATOD) prevention among professionals. Ohio has more than 100 Drug Free Community Coalitions and more than 80 Suicide Prevention Coalitions. Additionally, OhioMHAS has partnered with ADAMH Boards and other provider systems—including schools and health care systems—to embed prevention interventions into other systems such as schools, faith-based organizations, workplaces, and health care systems.

² Extracted from FY 2018/2019 – (Ohio) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

Underage Drinking Initiatives

An initiative through Drug-Free Action Alliance that supports the commitment to the reduction of childhood/underage drinking is the public awareness campaign, *Parents Who Host, Lose the Most: Don't be a Party to Teenage Drinking*. This program was launched in the spring of 2000.

OhioMHAS supports the *Ohio College Initiative to Reduce High Risk Drinking*, which began in 1996 and brings together more than 52 college and universities. OhioMHAS provides funding to Prevention Action Alliance, which partners with The Ohio State University Higher Education Center for Alcohol and Drug Misuse Prevention and Recovery (HECAOD) to implement this initiative. HECAOD is the premier alcohol and drug misuse prevention and recovery resource for colleges and universities across the nation. HECAOD is a joint collaboration between The Ohio State University's College of Social Work, College of Pharmacy, Office of Student Life, Generation Rx Initiative, and Collegiate Recovery Community.

Nine institutes of higher education receive funding to implement prevention and early intervention programs to college students under the age of 21, with special emphasis on addressing underage access and increasing awareness of the problem of high-risk drinking. Higher education funds also provide an opportunity for universities to form coalitions that work to change the alcohol-related culture surrounding college students and benefit the campus and surrounding community residents. Training and technical assistance is also provided to colleges and universities to address issues of high-risk drinking that focus on using environmental strategies.

Prevention Action Alliance has developed a program to help colleges educate their students on the responsibilities of social hosting. Based on the nationally-recognized, evidence-based program, *Parents Who Host, Lose the Most: Don't be a party to teenage drinking, BUZZKILL: Serve Under 21 and the Party's Over* is an eye-catching social host campaign that gives colleges the tools to let students understand the consequences when hosting parties with alcohol that underage people attend.

Expenditures for Substance Abuse Prevention and Treatment

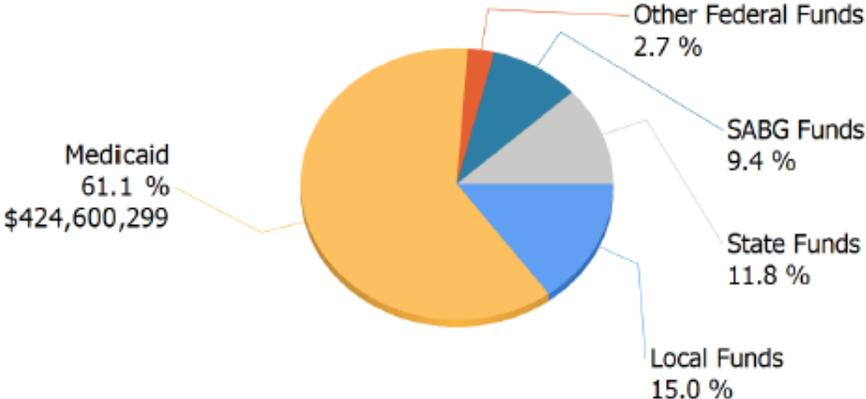
All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Ohio used for expenditures on substance abuse prevention and treatment in 2019. As indicated, Medicaid funds and local funds account for the largest sources (61.1 percent and 15.0 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Ohio designated ensuring availability of prevention services to families with children and adolescents as the number two priority for use of SABG funds.⁴

³ WebBGAS State Profile, 2019 SABG and MHBG Reports – Ohio 2019.

⁴ FY 2018/2019 – (Ohio) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

Exhibit 1: Sources of Ohio’s 2019 Expenditures for Substance Abuse Prevention and Treatment



State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Ohio’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through an administrative process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	Not specified
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No law
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12:00 AM (1:00 AM if license has been held for 12 months)

Can law enforcement stop a driver for night driving violation as a primary offense?	No, officer must stop driver for another offense to cite for night driving violation
Are there restrictions on passengers?	Yes, no more than one non-family passenger, unless accompanied by parent or guardian
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18 (Passenger restrictions are lifted if license has been held for 12 months; unsupervised night driving restrictions remain until age 18)

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> Is furnishing allowed if the parent or guardian supplies the alcohol? 	Yes
<ul style="list-style-type: none"> Is furnishing allowed if the spouse supplies the alcohol? 	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	17
What is the maximum age a decoy may be to participate in a compliance check?	19
Are there appearance requirements for the decoy?	Yes, age-appropriate appearance; hair and clothing consistent with what people in their age group are wearing. Male: No facial hair. Female: Minimal makeup and jewelry.
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No
What is the time period for defining second, third and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A

What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A
Notes: Ohio Liquor Control Commission handles penalties for administrative violations.	

Responsible Beverage Service (RBS)–Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes–Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Not specified

Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	19
Wine	19
Spirits	19
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	19
Wine	21
Spirits	21
Does a manager or supervisor have to be present?	No
Notes: Although employees must be at least 21 years old in order to sell spirits, wine, or mixed beverages across a bar, employees of any permit holder may sell beer across a bar if they are at least 19 years old.	

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	Yes

Prohibitions Against Hosting Underage Drinking Parties—Law Applicable to Possession/Consumption	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Possession/Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	Yes – Family members
Notes: In addition to the restrictions imposed on owners or occupants of public or private places, Ohio's provision regarding property states that no person shall engage or use accommodations at a hotel, inn, cabin, campground, or restaurant when the person knows or has reason to know that beer or intoxicating liquor will be consumed by an underage person on the premises. Owners or occupants of public or private places are held to a knowledge standard, while those who engage or use accommodations at a hotel, inn, cabin, campground, or restaurant are held to a negligence standard.	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited
Notes: An S class permit allows an out-of-state beer or wine brand owner or United States importer to sell beer or wine directly to personal consumers (residents) in Ohio by receiving and filling orders that the personal consumer submits to the permit holder.	

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	Yes (Prior to sending a shipment of beer or wine, the shipper must make a "bona fide" effort to ensure that the purchaser is at least 21 years of age.)
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	No

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law

Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No law
Wine	No law
Spirits	No law

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No. However, this state is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.18
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	

Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.32
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	N/A
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	N/A
<ul style="list-style-type: none"> • General sales tax rate 	N/A
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	N/A
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	N/A
<ul style="list-style-type: none"> • General sales tax rate 	N/A
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	N/A
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (Permitted before 9 PM)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (90 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Spirits	
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
Notes: Wine wholesalers are to include a 33.3% minimum markup.	

Ohio State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Ohio Investigative Unit - a component of the Ohio State Highway Patrol at the Ohio Department of Public Safety

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	No

State has a program to investigate and enforce direct sales/shipment laws No

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors Not applicable

Such laws are also enforced by local law enforcement agencies Not applicable

Enforcement Statistics

State collects data on the number of minors found in possession¹ Yes

Number of minors found in possession¹ by state law enforcement agencies 765

Number pertains to the 12 months ending 12/31/2018

Data include arrests/citations issued by local law enforcement agencies No

State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of retail licensees in state³ 25,000

Number of licensees checked for compliance by state agencies (including random checks) 840

Number of licensees that failed state compliance checks 124

Numbers pertain to the 12 months ending 12/31/2018

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations Unknown

Number of licensees that failed **random** state compliance checks Unknown

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities No

Number of licensees checked for compliance by local agencies Not applicable

Number of licensees that failed local compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state⁴ 369

Total amount in fines across all licensees \$691,700

Smallest fine imposed	\$300
Largest fine imposed	\$25,000
Numbers pertain to the 12 months ending	12/31/2018
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	
	Yes
Number of suspensions imposed by the state ⁵	359
Total days of suspensions across all licensees	3,638 (served only 710)
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	30
Numbers pertain to the 12 months ending	12/31/2018
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	
	Yes
Number of license revocations imposed ⁶	1
Numbers pertain to the 12 months ending	12/31/2018

Additional Clarification

The Ohio Investigative Unit conducted 840 compliance checks during 2018. Locations checked were selected either at random, at the request of local law enforcement, or due to complaints filed with OIU. Our reporting system does not separate these various sources of compliance checks. When monetary forfeitures or suspension days are imposed by the Ohio Liquor Control Commission, many liquor permit holders are given the option to pay a fine in lieu of serving a suspension. This accounts for the figures for total days of suspension above - out of 3,638 total days of suspension, only 710 days were actually served.

¹ Or having consumed or purchased per state statutes.
² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.
³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.
⁴ Does not include fines imposed by local agencies.
⁵ Does not include suspensions imposed by local agencies.
⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

The Ohio College Initiative to Enhance Student Wellness

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	https://preventionactionalliance.org/

Program Description: The Ohio College Initiative to Enhance Student Wellness seeks to enhance student wellness by promoting the creation of campus/community coalitions that implement community-based process and environmental strategies to strengthen the campus culture. The Initiative focuses on the following areas: restricting marketing and promotion of alcohol, improving social and recreational options, limiting availability, increasing enforcement of policies, and creating a health promotion environment. The Prevention Action Alliance (formerly Drug-Free Action Alliance [DFAA]) works in partnership with the Higher Ed Center at the Ohio State University to carry out this important work. The intervention seeks to change the alcohol-related culture of students on college campuses by building a campus/community coalition that identifies and implements environmental strategies. The model provides training and technical support to campus faculty and top administration officials to encourage and assist in the implementation of evidence-based prevention strategies. At this time, 54 four-year institutions and a number of community colleges are engaged in the College Initiative.

<i>BUZZKILL: Serve Under 21 and the Party's Over</i>	
Number of youth served	No data

Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	https://preventionactionalliance.org

Program Description: BUZZKILL: Serve Under 21 and the Party's Over educates college students about the serious health and safety problems associated with underage drinking. In addition to the program's messaging, it supports enforcement of underage drinking laws at the local level by supporting communities to partner with law enforcement. The statewide program runs primarily from September to May, when college-hosted underage drinking parties are prevalent and campuses can provide community education. BUZZKILL has been implemented in nine states, including: California, Georgia, Maryland, Michigan, New Jersey, New York, Pennsylvania, Texas, and Wisconsin.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
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Description of collaboration: Not applicable

<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
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Description of program: Not applicable

<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
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Federal campaigns: SAMSHA

Yes

Regional and local media campaigns:

No

Local school district efforts:

No

Other:

No

<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
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State officially endorses TTHY efforts

No

State commits state resources for TTHY

No

State forwards TTHY materials to local areas

Yes

Other:

No

<i>State procures funding for TTHY</i>	No
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Pro bono

No

Donated air time

No

Earned media

No

Other: SPF-PFS

Yes

<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
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Agencies/organizations that established best practices standards:

Federal agency(ies): SAMSHA

Yes

Agency(ies) within your state:

No

Nongovernmental agency(ies):

No

Other:

No

Best practice standards description: No data

Additional Clarification

No data

State Interagency Collaboration	
A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities	No
Committee contact information:	
Not applicable	
Agencies/organizations represented on the committee:	
Not applicable	
Additional Agencies/organizations:	
A website or other public source exists to describe committee activities	Not applicable
URL or other means of access: Not applicable	
Underage Drinking Reports	
State has prepared a plan for preventing underage drinking in the last 3 years	No
Prepared by: Not applicable	
Plan can be accessed via: Not applicable	
State has prepared a report on preventing underage drinking in the last 3 years	No
Prepared by: Not applicable	
Report can be accessed via: Not applicable	
Additional Clarification	
No data	
State Expenditures for the Prevention of Underage Drinking	
Compliance checks in retail outlets:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2018
Checkpoints and saturation patrols:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	12/31/2018
Community-based programs to prevent underage drinking:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
K-12 school-based programs to prevent underage drinking:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
Programs targeted to institutes of higher learning:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
Programs that target youth in the juvenile justice system:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
Programs that target youth in the child welfare system:	
Estimate of state funds expended	Data not available
Estimate based on the 12 months ending	Data not available
Other programs:	
Programs or strategies included: Data not available	
Estimate of state funds expended:	Data not available
Estimate based on the 12 months ending:	Data not available
Funds Dedicated to Underage Drinking	
State derives funds dedicated to underage drinking from the following revenue streams:	
Taxes	No
Fines	No
Fees	No

Other: Not applicable

No

Description of funding streams and how they are used:

Not applicable

Additional Clarification

We are unable to provide separate data for underage drinking prevention activities.



SAMHSA
Substance Abuse and Mental Health
Services Administration

WISCONSIN STATE REPORT

Underage Drinking Prevention and Enforcement

2020



SAMHSA
Substance Abuse and Mental Health
Services Administration

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2020). *2020 Wisconsin State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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Wisconsin

State Population: 5,813,568

Population Ages 12–20: 665,500

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	149,400 (22.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	91,600 (13.8%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	4,700 (2.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	2,900 (1.3%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	39,400 (17.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	21,800 (9.8%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	105,300 (47.7%)
Past-Month Binge Alcohol Use – Number (Percentage)	66,900 (30.3%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	72
Years of Potential Life Lost (under 21)	4,372
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ¹	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	9
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	15%

¹ Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Behavioral Health System Overview²

Wisconsin has a state-supervised, county-based mental health and substance use disorder (MH/SUD) system. The Division of Care and Treatment Services (DCTS) in the Department of Health Services (DHS) is the designated State Mental Health Authority (SMHA) and Single State Agency (SSA) for SUDs. DCTS is responsible for allocating state and federal funding for the provision of MH/SUD services and for implementing various responsibilities under the State Alcohol, Drug Abuse, Developmental Disabilities and Mental Health Act, Wis. Stat. Ch. 51. While the state has broad responsibility for MH/SUD system planning, management, and oversight, the counties are statutorily responsible for administering MH/SUD services. Counties may meet the MH/SUD service responsibility through single county systems, such as single county boards and departments of community programs or human services, or through multi-county systems.

Wisconsin utilizes a collaborative approach to ensure the monitoring of mental health and SUD prevention and treatment services through regionally based department staff, county-based alcohol and other drug abuse coordinators, and contract administrators within DCTS. Wisconsin's regions include Northeastern, Northern, Southeastern, Southern, and Western, and are comprised of 72 counties and 11 Native American Indian Tribes. DCTS staff conducts site visits to provider entities to review progress and offer technical assistance as necessary.

County mental health providers use county tax levy dollars to fund a portion of the services they deliver. State and federal tax dollars are also used to fund a portion of mental health services for public consumers. The largest source of federal funds for the provision of mental health services is through the Medicaid program. In Wisconsin, most mental health Medicaid recipients are served through the Badger Care and SSI managed care programs. As a consumer's Medicaid status may change throughout the period of a year and program coverage policies have limitations, some consumers may use benefits through both programs to get the services they need.

Substance Use Disorder Prevention and Treatment Services

Wis. Stat. §51.001 provides that Wisconsin shall provide a full range of prevention, treatment, and rehabilitation services for alcohol and other drug abuse, in a manner that ensures continuity of care within the limits of available state, federal, and county funds. Wis. Stat. §51.03 empowers DHS to promote fiscal stewardship in the provision of SUD services and to ensure that service providers develop, maintain, and evaluate their plans to address SUD needs.

Counties are responsible for developing and managing a system of care for persons with SUD (Wis. Stat. §51.42). This includes preparing short- and long-range plans to address SUD treatment needs, maintaining oversight of the planning process, and maintaining an inventory of existing resources. Counties are required to report National Outcomes Measures (NOMS) data through Wisconsin's Program Participation System (PPS), which populates the Treatment

² Extracted from fiscal year (FY) 2018/2019 – (Wisconsin) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

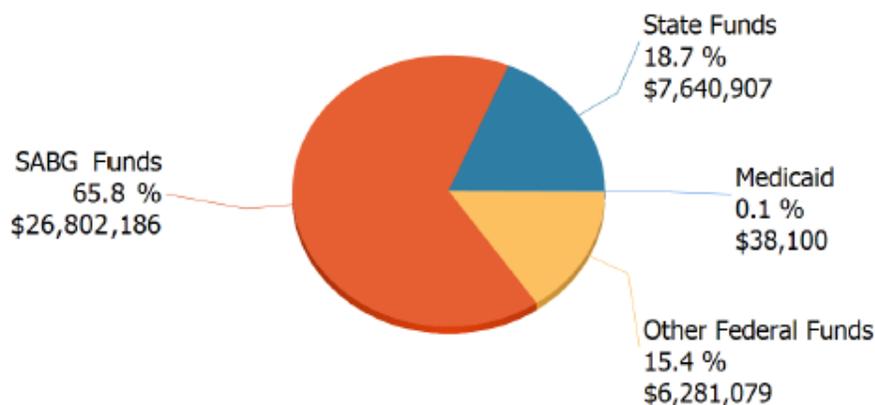
Episode Data Set (TEDS) and the Substance Abuse Prevention Service Information System (SAP-SIS) through a contract with DHS. Direct grants awarded by DHS to private, nonprofit, and county agencies are subject to performance management. Direct grant agencies are required to set performance objectives and report on progress on a semiannual basis. DCTS contract administrators review these semiannual reports and use the information to provide technical assistance and make contractual modifications as needed. Contract administrators also perform site visits to provider agencies to ensure programmatic and fiscal compliance and offer technical assistance as necessary.

Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Wisconsin used for expenditures on substance abuse prevention and treatment in 2019. As indicated, SABG funds and state funds account for the largest sources (65.8 percent and 18.7 percent, respectively).³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018–2019, Wisconsin designated reducing adult and youth binge drinking as priority number seven for use of SABG funds.⁴

Exhibit 1: Sources of Wisconsin's 2019 Expenditures for Substance Abuse Prevention and Treatment



³ WebBGAS State Profile, 2019 SABG and Community Mental Health Block Grant (MHBG) Reports – Wisconsin 2019.

⁴ FY 2018/2019 – (Wisconsin) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Wisconsin's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

State Laws and Policies: These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	Yes
• Is possession allowed if spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	Yes
• Is consumption allowed if the spouse is present or consents?	Yes
Is there an exception based on location?	No

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	Yes
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	Yes
May a retailer detain a minor who used a false ID?	No

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.00%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	Not specified
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	90

Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	30 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12:00 AM

Can law enforcement stop a driver for night driving violation as a primary offense?	Yes, officer may stop driver for night driving violation
Are there restrictions on passengers?	Yes, no more than one person under 21 who is not an immediate family member or instructor
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	16 years, 9 months

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
Are there appearance requirements for the decoy?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)–Mandatory	
Is there a state law pertaining to Beverage Service Training?	Yes–Mandatory
If training is mandatory, who must participate?	Licensees, Servers/Sellers
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	N/A
• Discounts in dram shop liability insurance, license fees, or other	N/A
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	N/A
• Protection against license revocation for sales to minors or sales to intoxicated persons	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	New

Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
Notes: No person, including a member of the licensee's or permittee's immediate family, other than the licensee, permittee, or agent may serve fermented malt or alcohol beverages in any place operated under a Class "A," Class "B," or Class "C" license or permit unless he or she has an operator's license or is at least 18 years of age and is under the immediate supervision of the licensee, permittee, agent, or a person holding an operator's license, who is on the premises at the time of the service. Thus, if an 18-year-old held an operator's license, he or she would not require immediate supervision by a manager or supervisor.	

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No
Notes: No person, including a member of the licensee's or permittee's immediate family, other than the licensee, permittee, or agent may serve fermented malt or alcohol beverages in any place operated under a Class "A," Class "B," or Class "C" license or permit unless he or she has an operator's license or is at least 18 years of age and is under the immediate supervision of the licensee,	

permittee, agent, or a person holding an operator's license, who is on the premises at the time of the service. Thus, if an 18-year-old held an operator's license, he or she would not require immediate supervision by a manager or supervisor.

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools

Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 300 feet. Local government has authority to override state restrictions.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 300 feet. Local government has authority to override state restrictions.
To which alcohol products does requirement apply?	Wine, Spirits
Notes: Exception is restaurants.	

Dram Shop Liability

Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No

Social Host Liability

Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	No
Does common law social host liability exist?	No

Prohibitions Against Hosting Underage Drinking Parties

Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party

Does host’s preventive action protect him/her from being held liable?	Yes
Are there any exceptions for underage guests?	No
Notes: The "preventive action" provision in Wisconsin allows the prosecution to establish guilt by proving that the host failed to take preventive action. Effective December 10, 2017, Wisconsin's social host prohibitions apply only to an adult who occupies and either owns or controls the property in question. The law applies at a lodging establishment if the adult has furnished payment or security for lodging.	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser’s age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser’s name?	Yes
Must the common carrier (deliverer) record/report recipient’s name?	No
Shipping label requirements	
Must the label state “Package contains alcohol”?	No
Must the label state “Recipient must be 21 years old”?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law

Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	No
Wine	No
Spirits	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.06
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> General sales tax rate 	Not relevant
<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	

Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.25
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$3.36
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (15 days)
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	Yes
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days)
Notes: Wholesalers are to include a 3% markup to cover a proportionate part of the cost of doing business, or a lesser amount with proof; wholesalers may not sell below cost.	

Wisconsin State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:
 No state agency has primary responsibility for enforcing underage drinking laws.

Enforcement Strategies

<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	Yes
Party Patrol Operations or Programs	Yes
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	Don't know
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Not applicable

Enforcement Statistics

<i>State collects data on the number of minors found in possession</i>	Don't know
Number of minors found in possession ¹ by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable
<i>State conducts underage compliance checks/decoy operations² to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	No
Data are collected on these activities	No
Number of retail licensees in state ³	17,126
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable
<i>State conducts random underage compliance checks/decoy operations</i>	Not applicable
Number of licensees subject to random state compliance checks/decoy operations	Not applicable
Number of licensees that failed random state compliance checks	Not applicable
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	No
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Sanctions

<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	Don't know
Number of fines imposed by the state ⁴	Not applicable
Total amount in fines across all licensees	Not applicable
Smallest fine imposed	Not applicable
Largest fine imposed	Not applicable

Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	No
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	No
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Additional Clarification

Wisconsin is a local control state. Each city, town, and municipality is responsible for alcohol sales, licensing, compliance, and enforcement. Sobriety checkpoints are illegal in the state, although local law enforcement can and do conduct saturation patrols. Data on these activities are not collected by the state.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Alliance for Wisconsin Youth

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: http://www.allwisyouth.org/	

Program Description: The Alliance for Wisconsin Youth brings together coalitions, individuals, and resources to prevent substance abuse and related behavioral health concerns from affecting young people and to promote positive youth development. The Alliance's mission is to enhance and support the capacity of local alliances (member coalitions) in their prevention and youth development work. More than 100 local coalitions are members of the Alliance, which is served by five Regional Prevention Centers that provide support, training, and technical assistance to community coalitions to prevent alcohol and drug abuse. These coalitions work to implement environmental strategies to prevent underage drinking, among other state priorities.

Substance Abuse Prevention and Treatment Block Grant Programs

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

Program Description: The Wisconsin Department of Health Services, Division of Care and Treatment Services, receives the SAMHSA Substance Abuse Prevention and Treatment (SAPT) Block Grant. Of the funds received, 20 percent is used to support substance abuse prevention services, including underage drinking prevention. The

majority of funds are distributed to county-operated Human Service Departments for the delivery of prevention services. Most provide individual-level prevention services.

Wisconsin Alcohol Policy Project

Number of youth served	No data
Number of parents served	No data
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information: https://law.wisc.edu/wapp/	

Program Description: This project is within the University of Wisconsin-Madison Law School. It provides training and education on a statewide level to coalitions and prevention professionals on alcohol policy and licensing issues. Since alcohol licensing is done at a municipal level, the alcohol policy project provides guidance to local prevention providers on how to work with elected officials to change the alcohol environment in their community.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: No data

Additional Clarification

Many of these questions refer to prevention "programs" that serve indicated or selected populations. Wisconsin has moved many of its services toward environmental strategies influencing population-level change through policies and strategies. Thus, many of the questions requesting data on number of youth, parents, or caregivers served do not apply. In addition, Wisconsin is a local control state, meaning that alcohol policy is done locally (regarding licensure, sales, and enforcement). Wisconsin does not have a statewide Alcohol Control Board. Each city, town, or municipality has its own alcohol licensing board as part of local government that issues alcohol sales licenses and is also responsible for suspension or revocation of these licenses.

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: The state has worked with the tribes through the Great Lakes Inter-Tribal Council (representing Wisconsin's 11 tribes) on a State/Tribal Strategic Prevention Framework State Incentive Grant (SPF-SIG), a Strategic Prevention Enhancement Grant (SPE), a Partnerships for Success (PFS) II Grant, and beginning in Oct. 2015, on the PFS 2015 grant. The Wisconsin Department of Health Services (DHS) also consults on a "Tribal State Collaborative for Positive Change" coalition. The single state authority on alcohol and drug abuse and tribal leaders of Wisconsin's 11 Native American tribes collaborate on alcohol and drug abuse and mental health services. DHS provides each of Wisconsin's 11 Native American tribes with funding to support alcohol and drug abuse prevention and treatment and behavioral health services.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing No

Description of program: Not applicable

State collaborates with/participates in media campaigns to prevent underage drinking Yes

Federal campaigns: No

Regional and local media campaigns: Wisconsin is in the process of creating a new underage drinking campaign and is working with local stakeholders to gather information on their communities' needs and wants in a new campaign. Yes

Local school district efforts: No

Other: "Small Talks"- Currently working on creating a new underage drinking campaign for Wisconsin and plan to release by second quarter of 2020. Yes

State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You." Yes

State officially endorses TTHY efforts No

State commits state resources for TTHY No

State forwards TTHY materials to local areas	Yes
Other:	No
<i>State procures funding for TTHY</i>	No
Pro bono	No
Donated air time	No
Earned media	No
Other:	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies): National Institute on Alcohol Abuse and Alcoholism (NIAAA), and SAMHSA	Yes
Agency(ies) within your state: Wisconsin Department of Health Services, Division of Care and Treatment Services, Bureau of Prevention Treatment and Recovery	Yes
Nongovernmental agency(ies): Alcohol Policy Project - University of Wisconsin-Madison	Yes
Other:	No
Best practice standards description: The state identified substance abuse programs that appear on a national list or registry—including OJA—as well as in recommendation reports completed by the Governor's State Council on Alcohol and Other Drug Abuse. Reports were developed by a committee of experts and are considered to be evidence-based for the purposes of prevention funding in the state. To date, five recommendation reports are available: the Alcohol Culture and Environment Report, the Controlled Substances Call to Action Report, the 911 Good Samaritan Report, Wisconsin's Heroin Epidemic: Strategies and Solutions Report, and Marijuana in Wisconsin: Research-Based Review and Recommendations for Reducing the Public Health Impact of Marijuana. They can be accessed at https://scaoda.wisconsin.gov/adhoccommitteereports.htm .	

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: Roger Frings

Email: roger.frings@wisconsin.gov

Address: Office of the Commissioner of Insurance, 125 South Webster Street, Madison, WI 53703

Phone: 608-264-8107

Agencies/organizations represented on the committee:

Governor's Office

Attorney General's Office

State Superintendent of Public Instruction

Secretary of Health Services

Commissioner of Insurance

Secretary of Corrections

Secretary of Transportation

Chairperson of the Pharmacy Examining Board

Representative of the Controlled Substances Board

Governor's Law Enforcement and Crime Commission

Citizen Members

Citizen Member Representing Providers

Member of the Wisconsin County Human Service Association, Inc.

State Representative Minority Party
 State Representative Majority Party
 State Senator Minority Party
 State Senator Majority Party
 University of Wisconsin Extension
 Department of Revenue
 Department of Workforce Development
 Department of Regulation and Licensing
 Wisconsin Technical College System
 Department of Veterans Affairs
 Liaison to the Mental Health Council
 Liaison to the Developmental Disabilities Council
 Division of Public Health
 Department of Children and Families
 Department of Health Services

A website or other public source exists to describe committee activities Yes
 URL or other means of access: <https://scaoda.wisconsin.gov/index.htm>

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes
 Prepared by: Wisconsin State Epidemiological Outcomes Workgroup (SEOW)
 Plan can be accessed via: <https://www.dhs.wisconsin.gov/stats/aoda.htm>

State has prepared a report on preventing underage drinking in the last 3 years No
 Prepared by: Not applicable
 Report can be accessed via: Not applicable

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Checkpoints and saturation patrols:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

K-12 school-based programs to prevent underage drinking:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs targeted to institutes of higher learning:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs that target youth in the juvenile justice system:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Programs that target youth in the child welfare system:
 Estimate of state funds expended Data not available
 Estimate based on the 12 months ending Data not available

Other programs:
 Programs or strategies included: Data not available

Estimate of state funds expended:	Data not available
Estimate based on the 12 months ending:	Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	No
Fines	Yes
Fees	No
Other: Not applicable	No

Description of funding streams and how they are used:

Fines for underage drinking citations are used locally to support prevention efforts.

Additional Clarification

No data

SAMHSA Publication
No. PEP21-03-11-007 Released 2021
Substance Abuse and Mental Health Services Administration



SAMHSA
Substance Abuse and Mental Health
Services Administration