

The College is committed to creating and maintaining an environment that is free of alcohol abuse. The College prohibits the possession, use, and sale of alcoholic beverages on campus or as any part of the College's activities unless it is done so in accordance with applicable College policies, and it also enforces the state's underage drinking laws.

The College enforces Federal and State drug laws. The possession, sale, manufacture, or distribution of illegal drugs is prohibited on campus or as any part of the College's activities. Violators of the College's policies or Federal and State laws regarding illegal drugs will be subject to disciplinary action and possibly criminal prosecution.

### Federal Drug Laws

**Denial of Federal Benefits ([21 U.S.C. § 862](#))** A federal drug conviction may result in the loss of federal benefits, including loans, grants, scholarships, contracts, and licenses, although the Department of Education has said it will no longer disqualify students from Title IV aid for a federal or state conviction for possession or sale of a controlled substance.

**Forfeiture of Personal Property and Real Estate ([21 U.S.C. § 853](#))** Any person convicted of a federal drug offense punishable by more than one year in prison shall forfeit to the United States any personal or real property related to the violation. A warrant of seizure may be issued and property seized at the time an individual is arrested on charges that may result in forfeiture.

**Federal Drug Trafficking Penalties ([21 U.S.C. § 841](#))** Penalties for federal drug trafficking convictions vary according to the type and quantity of the controlled substance involved in the transaction. Penalties for subsequent convictions are more severe. Federally-defined schedules of controlled substances are published at 21 U.S.C. 812.

In the case of a controlled substance in schedule I or schedule II, GHB (or, "liquid ecstasy"), or flunitrazepam (or, "rohypnol"), a person shall be sentenced to a term of imprisonment of not more than 20 years. If death or serious bodily injury results from the use of a controlled substance which has been illegally distributed, the person convicted on federal charges of distributing the substance faces the possibility of a life sentence and fines ranging up to \$10 million.

In the case of a controlled substance in schedule III, a person shall be sentenced to a term of imprisonment of not more than 10 years, and if death or serious bodily injury results, shall be sentenced to a term of imprisonment of not more than 15 years or a fine not to exceed \$500,000, or both, for a first offense.

For less than 50 kilograms of marijuana, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

In the case of a schedule IV substance, the term of imprisonment shall not be more than five years, and the fine shall not be more than \$250,000, or both, for a first offense.

Persons convicted on federal charges of drug trafficking within 1,000 feet of an elementary school, secondary school, college, or university ([21 U.S.C. § 860](#)) face penalties of prison terms and fines which are twice as high as the regular penalties for the offense, with a mandatory prison sentence of at least one year, unless the offense involves five grams or less of marijuana.

**Federal Drug Possession Penalties ([21 U.S.C. § 844](#))** Persons convicted on federal charges of possessing any controlled substance face penalties of up to one year in prison, a mandatory fine of no less than \$1,000, or both. Second convictions are punishable by not less than 15 days but not more than two years in prison and a minimum fine of \$2,500. Subsequent convictions are punishable by not less than 90 days but not more than three years in prison and a minimum fine of \$5,000.

\*For the most recent and complete Federal Trafficking Penalties information, visit the website of the [U.S. Drug Enforcement Administration](#).

## Drug and Alcohol State Laws (Kentucky)

Category	Summary (Kentucky Revised Statutes)
Possession of Marijuana	<p>Possession of marijuana is a Class B misdemeanor, punishable by up to 45 days in jail and a \$250 fine. KY. REV. STAT. ANN. §§ 218A.1422; 534.040. Medical marijuana is not legal in Kentucky, however a 2022 executive order by Kentucky’s Governor allowed certain populations with at least one of 21 medical conditions, which include cancer, multiple sclerosis, post-traumatic stress disorder, muscular dystrophy or a terminal illness, to access medical cannabis beginning January 1, 2023. See Executive Action Relating to Medical Cannabis, 2022-79 (Nov. 15, 2022). Effective January 1, 2025, medical marijuana will be legal for all those prescribed its use by a physician. See 2023 Kentucky Senate Bill No. 47, Kentucky 2023 Regular Session.</p>
Controlled Substances	<p>Kentucky has a range of statutes governing controlled substances and their possession, use, and sale. KY. REV. STAT. ANN. §§ 218A.005-218A.994. No person may possess a controlled substance except as authorized by law. KY. REV. STAT. ANN. § 218A.1404. A first offense is a Class A misdemeanor, resulting in between 90 days and 12 months in jail and a fine up to \$500. <i>Id.</i> Selling controlled substances is a Class D felony, with a minimum of 1 year in jail. Possession of drug paraphernalia is also illegal. KY. REV. STAT. ANN. § 218A.500.</p> <p>As an example, a person in possession of more than 8 ounces of marijuana is presumed to have the intent to sell it and faces between 1 and 5 years in prison.</p>
Alcohol and Minors	<p>A person under 21 shall not possess alcoholic beverages or misrepresent his or her age for the purpose of purchasing or attempting to purchase an alcoholic beverage. KY. REV. STAT. ANN. § 244.085. A first offense results in a Class B misdemeanor, which means up to 90 days in jail and a fine up to \$250. KY. REV. STAT. ANN. §§ 532.020, 532.090, 534.040.</p>
Driving Under the Influence (DUI)	<p>It is illegal to operate a vehicle with an alcohol concentration of 0.08 or more or while under the influence of alcohol. KY. REV. STAT. ANN. § 189A.010. Doing so, as a first offense, results in a fine between \$200–\$500, 2–30 days in jail, or both. § 189A.010(5). Penalties increase with each additional offense within a ten-year period. <i>Id.</i> For any person under the age of 21, the maximum allowable alcohol concentration is 0.02.</p>