

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 (Utah)

Category	Summary (Utah Code Annotated)
Possession of Marijuana	A person possessing less than 100 pounds of marijuana is guilty of a Class B misdemeanor and may be sentenced to a term not exceeding six months in prison in addition to a fine of up to \$1,000. Utah Code Ann. §§ 58-37-8(2)(b)(1), 58-37-8(2)(d), 76-3-204(2), 76-3-301(1)(d).
Controlled Substances	<p>Utah statutes cover a wide range of offenses related to controlled substances. §§ 58-37-3 (incorporating by reference all substances listed in the federal Controlled Substances Act, 21 U.S.C. § 812); 58-37-4; 58-37-4.2. Prohibited acts and penalties are enumerated in § 58-37-8. Penalties for the possession and delivery of illegal drugs include prison sentences and monetary fines. These vary widely based on substance, amount confiscated, number of previous offenses by, and whether the individual intended to manufacture, sell, or use the drug.</p> <p>For example, a person convicted of producing, manufacturing, or distributing a substance or counterfeit substance classified in Schedule I or II (i.e., psilocybin, heroin, opium, or hydrocodone) is guilty of a second-degree felony punishable by imprisonment for not less than one year and not more than fifteen years. § 58-37-8(1)(b). A person convicted of producing, manufacturing, or distributing marijuana or a substance or counterfeit substance classified in Schedule III or IV is, upon first offense, guilty of a third-degree felony punishable by not more than five years in prison. § 58-37-8(1)(b)(ii).</p>
Alcohol and Minors	<p>It is unlawful for a minor to purchase, consume, attempt to purchase, or solicit another person to purchase an alcoholic product. Penalties include various screenings, assessments, and educational series. § 32B-4-409(1). If a minor is found in violation of the law, the court may order the minor to complete a screening, an assessment based on the results of the screening, and an educational series or substance use disorder treatment. § 32B-4-409(4). If the minor in violation is between the ages of 18 and 21, the court shall order the suspension of their driving privileges. § 32B-4-409(5)(a). It is also illegal for a minor to misrepresent his/her age for the purposes of purchasing or otherwise obtaining an alcoholic product. § 32B-4-409(2). The first violation of this law is a class B misdemeanor (punishable by up to six months in jail and up to \$1,000 in fines or compensatory service) and the second violation is a class A misdemeanor (punishable by up to 364 days in jail and up to \$2,500 in fines). §§ 32B-4-411(2)(a)(i)-(ii); 76-3-5204(1)-(2). 76-3-301(c)-(d). It is unlawful for a minor to attempt to or gain admittance to a tavern or bar licensee and violations are a class C misdemeanor, punishable by up to 90 days in jail and up to \$750 in fines. §§ 32B-4-410(1)-(2); 76-3-5204(3); 76-3-301(e).</p> <p>It is a class C misdemeanor for an individual to lend or knowingly permit another individual to use his/her license certificate or to display or represent as the individual's own license certificate a license certificate not issued to the individual. §§ 53-3-229(1), § 53-3-810(1). It is a class A misdemeanor for a person to transfer his/her proof of age to another person to help that person obtain alcohol. § 32B-1-403(1)(a)-(b). A person may not sell, offer for sale, or furnish an alcoholic product to a minor. § 32B-4-403(1). A person is guilty of a class B misdemeanor if the person negligently or recklessly fails to determine whether the recipient of the alcoholic product is a minor. § 32B-4-403(2).</p>
Driving Under the Influence (DUI)	A person may not operate a vehicle if they have a blood or breath alcohol concentration of 0.05 grams or greater. § 41-6a-502(1). A first offense is a class B misdemeanor or a class A misdemeanor in the event of certain aggravating circumstances. §§ 41-6a-503(1)-(2); 76-5-102.1(5). Mandatory penalties include: (1) a jail sentence of not less than two days or a compensatory-service work program for not less than 48 hours; (2) participation in a screening; (3) participation in an assessment, if appropriate; (4) participation in educational programs; and (5) a fine of not less than \$700 as well as fees. § 41-6a-505(1)(a). The court also may order additional penalties, such as substance abuse treatment or probation. § 41-6a-505(1)(b).