

### Driving Under the Influence (DUI)

It is unlawful for a person under the influence of intoxicating liquor to drive. Driving while under the influence of alcohol is a Class A misdemeanor punishable by a minimum fine of up to \$1,000 and/or imprisonment for up to one year. Any person who drives a motor vehicle anywhere in the state of Illinois thereby consents to a test to determine the alcoholic/drug content of his/her blood. If a person refuses to submit to the test his/her license will automatically be suspended for at least one year.

### Driving Under the Influence of Drugs (DUID)

In Illinois, the offense of driving under the influence can be based on alcohol, drugs, or even prescribed medication. Some refer to this as drugged driving, as opposed to drunk driving. This offense of DUID is prosecuted under the same statute as a DUI offense where the driver was intoxicated on alcohol.

### Illegal Transportation of Open Liquor

It is unlawful for any person to transport, carry, possess, or have any alcoholic liquor within the passenger area of any motor vehicle except in the original container and with the seal unbroken.

### Possession of Cannabis (Marijuana)

It is unlawful for any person to knowingly possess marijuana. The possession of a small quantity of marijuana (an amount normally possessed by one person for one person's use) may result in a citation and a fine. In Illinois, the possession of more than 10 grams of cannabis is a crime and you can be arrested. If you are caught with only 10 grams or less, that is a civil offense. If the cannabis is mixed with another substance, the total amount of that substance is considered for determining the level of the violation. Should a person bring a larger amount to a party with the intention of supplying several people, the penalties are much higher. It is also unlawful to possess controlled-substances such as narcotics, prescription drugs not prescribed to the individual, hallucinogenic chemicals, etc.) and such possession carries even greater penalties than the possession of marijuana.

### Parental Liability—Marijuana

It is unlawful for any parent or adult to furnish marijuana or other illicit drugs to a minor. He or she could be found guilty of a felony.

### Drug Paraphernalia—Possession, Delivery and Sale

It is unlawful for any person or business establishment to keep for sale, offer for sale, sell, or deliver for any commercial consideration any item which is known to be drug paraphernalia. This is a Class 4 felony. Such an act will constitute a business offense for which a fine of a minimum of \$1,000 shall be imposed for each item. Any person 18 years of age or older who sells or delivers for any commercial consideration any item of drug paraphernalia to a person under 18 years of age is guilty of a Class 3 felony. Any store, place or premise engaging in this activity will be declared to be a public nuisance and the court can restrain all persons from maintaining and using the premises for a period of one year thereafter.

### Drug Paraphernalia—Possession

It is unlawful for any person to knowingly possess any item of drug paraphernalia with the intent to use it in ingesting, inhaling, or otherwise introducing cannabis or a controlled substance into the human body, or in preparing cannabis or a controlled substance for that use. This is a Class A misdemeanor. Minimum fine is \$750 in addition to any other penalty prescribed for a Class A misdemeanor.

## Local Ordinances

### Tobacco 21

#### (City of Aurora and City of Naperville)

It shall be unlawful for any person, including a licensee, to sell, offer for sale, or give away or deliver tobacco products by any means to any person under the age of twenty-one (21) years. It shall be unlawful for any person, including any licensee, to sell, offer for sale, give away or deliver alternative nicotine products by any means to any person under the age of 21 years, including e-cigarettes.

### Presence, Possession, or Purchase of Alcoholic Liquor by Minors (City of Naperville Ordinance)

*Presence Restriction:* It shall be unlawful for any person under the age of nineteen (19) to be or to remain in any room, apartment, house, place or vehicle which is not licensed for the sale of alcoholic liquor under this Chapter, when such person knows alcoholic liquor is being consumed by persons under the age of 19 years.

*Possession by Minors:* No parent or other person shall intentionally, knowingly, recklessly or negligently give or deliver alcoholic liquor to, or permit possession of alcoholic liquor by, his child, or any other person under the age of twenty-one (21).

#### WARNING TO PERSONS UNDER THE AGE OF 21

*You are subject to a fine up to five hundred dollars (\$500.00) under the ordinances of the City of Naperville if you purchase or attempt to purchase alcoholic liquor, or misrepresent your age for the purpose of purchasing or obtaining alcoholic liquor.*

### Parental Responsibility—Alcohol

Parents are prohibited from giving or providing alcoholic beverages to their minor children or any individual under the age of 21 (unless such consumption is in the performance of a religious service or ceremony and is accompanied by close parental supervision). Further, parents who believe with some probability that their minor children have consumed or will consume alcoholic liquor shall restrain said minor from operating a motor vehicle and/or engaging in any acts of vandalism, theft, or disorderly conduct. Violations of these provisions will result in fines of not less than \$200 nor more than \$1,000 for each offense.

### Cannabis

It is unlawful for any person knowingly to possess non-prescribed cannabis. The provisions of this article mandate that any individual having a quantity of cannabis less than 30 grams shall, upon conviction, be fined not less than \$75 and or more than \$1000 for each violation.



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## GUIDELINES FOR HOSTING PARTIES AND THE LAWS

### A Practical Guide for Parents



#### The Power of Choice is designed to:

- Reduce youth alcohol and other substance use.
- Correct misperceptions about the risk of harm and prevalence of use.
- Encourage family communication about not using alcohol and other substances.
- Provide tools for parents to help them talk with their kids about not using alcohol and other substances.

The Power of Choice is a project of 360 Youth Services, Naperville Community Unit School District 203, Indian Prairie School District 204, Naperville Police Department, KidsMatter and District 203 & 204 parents.

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According to surveyed\* District 203 and 204 students, most high school students are making healthy choices regarding alcohol, marijuana and other drug use.

This brochure is intended as an aid for parents in establishing guidelines for teenagers in regard to hosting or attending parties.

Teens can be influenced by their peers and society to use alcohol and other drugs. Teens who are to grow into healthy, functioning adults need to resolve the three major issues of identity, intimacy, and autonomy during this period of their lives. Parties provide a means for adolescents to test their social skills and compare their behavior and acceptance with that of their peers. Here is what 11,127 District 203 & 204 high school students said in the 2018 survey\*:

- ◆ 69% choose not to drink because they don't want to disappoint their parents.
- ◆ 63% choose not to drink because they don't want to get into trouble with their parents.
- ◆ 73% said when they are not home, one of their parents knows where they are and who they are with.
- ◆ 73% report that their parents disapprove of alcohol use by teenagers.

Being a parent of a teen can cause concern regarding parties and alcohol, tobacco or other drug (ATOD) use. Due to a variety of reasons, parents may feel reluctant to share those concerns and/or contact other parents who are supposed to be hosting a party their teen may be attending; this may cause parents to feel isolated, and that they are alone in having those concerns. However, all 11,127 students were aware of their parents' opinions on alcohol, tobacco and other drug (ATOD) use by teenagers:

- ◆ 99% of teens think that their parents disapprove of them smoking cigarettes.
- ◆ 87% of teens report that their parents would think it's wrong if they drank alcohol once or twice a month.
- ◆ 93% of teens think their parents disapprove of them smoking marijuana.
- ◆ 98% of teens think their parents disapprove of them using prescription drugs not prescribed to them.

\*Illinois Youth Survey District 203 & 204, 2018

### Guidelines for Attending a Party

- A. Know where your teen will be.
  1. Obtain the address and phone number of the party host.
  2. Let your teen know you expect a phone call if the location of the party is changed. (Tip: Have your teen take a selfie with an adult at the party and send it to you).
- B. Contact the parents of the teen giving the party.
  1. Verify the occasion.
  2. Be sure that a parent will be present.
  3. Offer assistance.
- C. Communicate concerns.
  1. Discuss with your teen the possible situations that might arise at parties with other teenagers
  2. Let them know where you can be reached.
  3. Assure your teenager that you, or a specified friend or neighbor can be called if needed.
  4. Agree on an acceptable curfew.
  5. Wait up until your teen arrives home.
- D. Verify overnight arrangements whether planned or spontaneous.

### Guidelines for Hosting a Party

- A. Parents must be present during the party. No parents, no party! A home minus adult supervision is asking for trouble. As parents we have a parental, as well as legal responsibility to our children to see that parties are conducted in an appropriate manner.
- B. Set ground rules with your teen beforehand.
  1. Let your teen know your expectations; they *do* want guidelines.
  2. Discuss the risks of and a plan for any underage use of tobacco, alcohol or other drugs, should they occur.
  3. Give your children options but at the same time establish parameters.
  4. Remind your kids that they are accountable for their own behavior.
- C. Set limits. "Limits are love."
  1. Make a guest list in an effort to discourage uninvited guests.
  2. Establish a specific starting and ending time. (Check curfew regulations in next section).
- D. Know your responsibilities.
 

It is important that we understand our liability, as parents, for both criminal charges and for monetary damages in case of a civil law suit where drugs and/or alcohol are used on our own private property. Therefore:

  1. Be alert to the signs of alcohol or drug use.
  2. Be aware of guests who leave the party and then return. Experience shows that in many instances these people have left the party with the intent of drinking or using drugs.
  3. If you feel that despite your precautions things do get out of hand, i.e., loud music or disruptive behavior, please do not hesitate to call your local police or 911 for assistance.
  4. If you find any persons under the influence, call their family so that they can be safely transported home.
- E. Other ideas:
  1. Have plenty of food and non-alcoholic drinks available.
  2. Try to meet your teen's friends and their parents.

### State and City Ordinances

Teens and their parents need to be aware that the license of a 16-year-old driver *is not valid* if the driver is in violation of the State curfew hours. For more go to [www.cyberdriveillinois.com](http://www.cyberdriveillinois.com)

### Curfew

Local law enforcement officials enforce the curfew hours established by state law (Illinois Compiled Statutes, Chap. 720, Section 555/1). It is unlawful for anyone under 17 to be present in a public place after 11 p.m. Sunday through Thursday, or after midnight Friday and Saturday, unless accompanied by a parent or other adult, 18 or older, approved by the parent. It is also unlawful for parents or other adults to knowingly permit youth in their custody to violate these curfews.

### Tobacco, Alcohol, Drugs and the Law

Here is a summary of several Illinois laws and local ordinances that pertain to the possession and the use of alcohol and other drugs by minors, and to adult responsibility for the use of alcohol and other drugs by minors. For more information please contact your attorney or local law enforcement agencies.

### Tobacco 21

The legal age to purchase cigarettes, vaping products including e-cigarettes, and chewing tobacco in Illinois is age 21, a statewide law in effect beginning June 1, 2019.

- ◆ Teens may not think vaping is as bad as cigarettes though the penalties are exactly the same.
- ◆ Vaping violations occur in school, on the street or at underage parties.

### Minor in Possession of Alcohol

Any person under the age of 21 who has alcohol in his/her possession on any street or in any public place may be guilty of a Class A misdemeanor punishable by a fine of up to \$2500 and/or imprisonment of up to 364 days in jail.

### Illegal Consumption of Alcohol by a Minor

It is unlawful for any person under the age of 21 to consume alcohol unless it is done under the direct supervision and approval of the minor's parents in the privacy of their own home. Consumption of alcohol by a minor under any other circumstances is a Class A misdemeanor punishable by a fine of up to \$500 and/or imprisonment of up to 30 days.

### Zero Tolerance

Any person under the age of 21 who has consumed alcohol and operated or been in actual physical control of a motor vehicle may be requested to submit to tests to determine alcohol content. If that person refuses the test or has an alcohol concentration greater than .00 their driver's license will be suspended for 3 months to one year.

### Parental Liability/Social Host Law—Alcohol

A parent or adult who furnishes alcohol or other prohibited materials to a minor or allows their residence to be used for the unlawful possession or consumption of alcohol may be guilty of a Class A misdemeanor. It is a \$500 minimum fine (maximum \$2,500 fine and up to one year in jail) to knowingly allow underage drinking to occur at a private residence. Where a violation of this law directly or indirectly results in serious injury or death, the person violating this subsection shall be subject to a class 4 felony with penalties of 1 to 3 years in prison and fines up to \$25,000.