

Illegal for Any Person to Facilitate the Underage Use of Cannabis

It is illegal for those under 21 to recreationally use, possess, or transport cannabis or any THC compound in any amount or form or to grow marijuana. It is unlawful for any person to facilitate the recreational use of cannabis by a person who is under the age of 21. It is unlawful to transfer (give or sell) cannabis to a person under 21 unless the recipient has an Illinois medical cannabis card—Note—the state criminal penalties for unlawful delivery of cannabis apply under 720 ILCS 550/5.

Unlawful for Any Person to Use Cannabis in the Presence of Youth Whether in a Residence or Vehicle, on Private Property

Unlawful use of cannabis includes not using around juveniles, whether a residence or vehicle, private property, or places where smoking is prohibited such as restaurants and bars. The law prohibits use anywhere you can reasonably be observed by others, including youth, such as front porches and open garages.

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.

Illegal Transportation of Cannabis and Violations in Vehicles

If possessing cannabis while driving a motor vehicle, a person under 21 may be subject to a driver's license suspension under the Illinois Vehicle Code. DUI Cannabis enforcement impairment tests may include divided attention tests, behavioral indicators, smell or presence of cannabis, admission of cannabis use, and/or 5 nanograms of THC in the blood.



Local Ordinances

Tobacco 21

(City of Aurora and City of Naperville)

It is unlawful for any person, including any licensee, to sell, offer for sale, give away or deliver tobacco and alternative nicotine products, including e-cigarettes, by any means to any person under the age of 21 years. In 2019, this became federal law.

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 \$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.



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 the 2018 Illinois Youth Survey of District 203 and 204 students, most high school students are making healthy choices regarding alcohol, marijuana, tobacco and other drug use.

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

What Do I Need to Know When My Teen Has Classmates Over to Study or Hang Out?

Parents are responsible for monitoring the safety of juveniles and others on their property. If teens come over after school while a parent or guardian is not present, it is advised that a designated adult should check on them.

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 comes home and check in with them, so you can see, hear and smell any concerns.
- 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 a safe 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 while establishing 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 lawsuit 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

Curfew

Local law enforcement officials enforce the curfew hours established by state law. 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 (City of Aurora Code: 21 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, unless going to or directly from employment, school sponsored or religious activity, or in an emergency.

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, chewing tobacco, and other nicotine-based products is age 21, a nationwide law.

Drug Paraphernalia Violation-Vaping, Etc.

Aurora Municipal Code penalties for possession in any location including school property of any drug paraphernalia (including vaping devices and supplies) seized shall be a civil law violation punishable by a minimum fine of not less than \$100. E-cigarette/vaping devices for nicotine delivery confiscated from those under 21 may be tested for THC by law enforcement officers.

Minor in Possession of Alcohol

Any person under the age of 21 who has alcohol in their possession on any street or in any public place may be guilty of a Class A misdemeanor punishable by a fine up to \$2,500 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 a blood-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.

Parental or Guardian Social Host Prohibition—Marijuana

A parent or adult who allows an underage invitee under age 21 into the parent or guardian's residence, vehicle, or watercraft, and knowingly permits the consumption of cannabis therein is guilty of a Class A misdemeanor. It is a Class 4 felony if death or great bodily harm results. See 410 ILCS 705/10-15(d).