

Federal and Minnesota Law

Schedule Drugs

- I. Heroin, mescaline and peyote, marijuana, other hallucinogens, MDMA (ecstasy).
- II. Opium, morphine, codeine, methadone, cocaine, amphetamine, methamphetamine.
- III. Opium; codeine; morphine; barbiturates; other narcotics, stimulants and depressants, GHB, LSD.
- IV. Barbiturates; benzodiazepines; chloral hydrate; other narcotics, stimulants and depressants, anabolic steroids.
- V. Codeine; other narcotics and depressants.

Possession of Schedule Drugs

Schedule I:

1st offense: 10 yrs.-life, 10 yrs. minimum; if death or serious injury, 20 yr. minimum; up to \$4 million fine individual, \$10 million other than individual

2nd offense: 20 yrs.- life, 20 yr. minimum; if death or serious injury, not less than life; up to \$8 million fine - individual, \$20 million other than individual.

Schedule II:

1st offense: 5 - 40 yrs., 5 yrs. minimum; if death or serious injury, 20 yr. minimum; up to \$2 million fine individual, \$5 million other than individual

2nd offense: 10 yrs.- life, 10 yr. minimum; if death or serious injury, not less than life; up to \$4 million fine individual, \$10 million other than individual.

Schedule III:

1st offense: 0 - 5 yrs.; up to \$250,000 fine individual, \$1 million other than individual.

2nd offense: 0 - 10 yrs.; up to \$500,000 fine individual, \$2 million other than individual.

Schedule IV:

1st offense: 0 - 3 yrs.; up to \$250,000 fine individual, \$1 million other than individual.

2nd offense: 0 - 6 yrs.; up to \$500,000 fine individual, \$2 million other than individual.

Schedule V:

1st offense: 0 - 1 yr.; up to \$100,000 fine individual, \$250,000 fine other than individual.

2nd offense: 0 - 2 yrs.; up to \$200,000 fine individual, \$500,000 other than individual

Minnesota Law

Minnesota has many statutes which regulate and control the use and abuse of alcohol.

For example, driving while under the influence (DUI) may result in a fine, jail time, and/or revocation of driver's license. Possession of alcohol under age 21 or use of false identification to purchase alcohol may result in a fine.

Furnishing alcohol to persons under 21 is punishable by a fine and/or time in prison.

DWI

It is a crime for any person to drive, operate, or be in physical control of a motor vehicle within this state or upon the water or ice of any boundary water of this state, while the person is under the influence of alcohol, a controlled or hazardous substance, or a combination of the two, or the person has an "alcohol concentration" of 0.08 or more. If a person under age 21 consumes any amount of alcohol and drives any motor vehicle, a mandatory loss of driver's license will follow along with any other relevant penalties.

DUI

Driving with an alcohol concentration of .04 or more is relevant evidence of whether or not the person is under the influence of alcohol and therefore subject to arrest.

Implied Consent

By driving a motor vehicle in this state, a person agrees to submit to testing for intoxication.

Possession or Consumption by Persons Under the Age of 21

It is unlawful for any person under the age of 21 years to possess any alcoholic beverage with the intent to consume or actually consume it at any place other than the household of person's parent or guardian and with their supervision.

Consent for Sexual Activity

A person under the influence of any amount of an intoxicating substance including alcohol, marijuana, narcotics, or other substances, whether ingestion of the substance is known or unknown, cannot give legal consent for sexual activity. Sexual activity is defined as oral, anal, or vaginal penetration, or contact or near contact of breasts or genitals.

Misrepresentation of Age

It is unlawful for any person under the age of 21 years to claim to be 21 years old or older for the purpose of purchasing alcoholic beverages.

Furnishing Alcohol to Persons Under 21

It is unlawful to sell, barter, furnish or give alcoholic beverages to persons under 21. People who are injured by an underage drinker may sue adults who supplied alcohol to the underage drinker.