

Underage Drinking Laws in Illinois: What You Need to Know

To consume or purchase alcohol in the state of Illinois, individuals must be 21 years of age or older. Legislators recently amended the Illinois Liquor Control Act, and changes to the Act are effective on January 1, 2013. The changes in the Liquor Control Act make it easier to punish individuals who knowingly allow underage drinking to occur. Public Act 97-1049 contains all of the amendments to the Liquor Control Act. Important details are as follows:

- **When a person knowingly authorizes or permits underage individuals to possess or consume alcohol on his/her property or in a residence he/she occupies, he/she is in violation of the law.** This will result in a Class A misdemeanor, and the person will be fined between \$500-\$2500. Also, a person may be sentenced to jail for up to one year.
- When a person knowingly authorizes or permits underage individuals to possess or consume alcohol on his/her property and this action “directly or indirectly results in great bodily harm or death to any person,” this violation may become a Class 4 felony. A Class 4 felony can result in a jail sentence from 1-3 years and fines up to \$25,000.
- The law provides a “safe harbor” for people who promptly request assistance from the police to try to stop underage drinking at a gathering. A person will not be found in violation of the law if he/she calls the police to have the underage individuals removed from the premises, or he/she calls the police to try to terminate the gathering because of the presence of underage individuals. The police must be called prior to a third party complaining about the gathering.
- **A person under the age of 21 who is caught with alcohol may be punished with various sanctions, including court supervision, mandated drug/alcohol classes, and driver’s license revocation or suspension. Penalties may be higher depending on where the possession of alcohol occurred (for example, on a street or in a public place).**
- It is illegal to transport open alcohol in the passenger area of a car. Drivers and passengers alike could face sanctions including license suspension or revocation of up to 1-year and fines up to \$1000. Penalties are increased for people under the age of 21 who violate the open container laws.

Another law to bear in mind is the Illinois “Drug or Alcohol Impaired Minor Responsibility Act” of 2004 (Public Act 93-588). This law states that any person 18 years of age or older who supplies alcohol or illegal drugs to minors under the age of 18- and causes the impairment of such person- can be sued for monetary and other damages. Such damages would occur in situations where the intoxicated minor died, was injured, caused death or injury to others, or damaged property.

Keep in mind that students who are found responsible for violating DePaul University’s policy on alcohol will undergo a judicial process on campus.

For more information, please see:

<http://www.dontbesorry.org>

<http://www.ilga.gov/legislation/ilcs/ilcs3.asp?ActID=2493&ChapterID=57> (IL Drug or Alcohol Impaired Minor Responsibility Act)

<http://www.ilga.gov/legislation/BillStatus.asp?DocTypeID=HB&DocNum=1554&GAID=11&SessionID=84&LegID=58700> (updated IL Liquor Control Act)