Fall 2026 - Drug and Alcohol Abuse Prevention Program (DAAPP) Notice – for Employees

(for TEXAS A&M UNIVERSITY employees - includes Texas A&M Health)

Prevention of Alcohol Abuse & Illicit Drug Use at Texas A&M University

1. Standards of Conduct

The use, sale, distribution, possession of alcohol, or any drug, including prescription medication obtained or used in an unauthorized manner is strictly prohibited and may result in disciplinary action up to, and including, termination.

Each employee has access to the TAMUS Policy and TAMU Rule Libraries. All employees should familiarize themselves with the TAMUS policy and regulation, and TAMU rules and SAPs regarding drugs and alcohol as all employees will be held to standards including but not limited to: TAMUS Policy 34.02 *Drug and Alcohol Abuse*; TAMUS Regulation 34.02.01 *Drug and Alcohol Abuse Rehabilitation Programs*; TAMU Rule 34.02.01.M1 *Substance Abuse Prevention*, and TAMU Rule 34.02.01.M2: *Substance Abuse Prevention for DOT- Regulated Employees*.

In accordance with TAMUS regulation 34.02.01 *Drug and Alcohol Abuse and Rehabilitation Programs*, if a supervisor reasonably suspects that use of a controlled substance or alcohol has resulted in absenteeism, tardiness or impairment of work performance or is the cause of workplace accidents, the supervisor must immediately notify the appropriate department head or designated administrator. The department head or designated administrator should reach out to Employee-Relations@tamu.edu or DrugTesting@tamu.edu or, the Office of General Counsel (OGC) at (979) 862-4027 for further advisement on reasonable suspicion. Upon direction from the department head or designated administrator, the supervisor or designated administrator will discuss with the employee the suspected alcohol or drug-related problem(s). The employee will be advised of available alcohol and drug counseling, rehabilitation or employee assistance programs, and the terms of any applicable disciplinary sanctions. The employee may be required to participate in an assistance program and be subject to discipline (up to and including termination of employment) if the employee rejects participation in the program. All discussions must be documented and filed in the employee's personnel record.

Rule 34.02.01.M1, *Substance Abuse Prevention* restricts alcohol use, the illegal use, sale and possession of drugs, and misuse of drugs including over-the counter and prescription drugs.

Employees are prohibited from the manufacturing, possession, controlling, selling, transmitting, or using any illicit drug or controlled substance on university premises, in university vehicles, or at any of its activities, including but not limited to university sponsored on or off campus activities and professional meetings attended by employees.

Rule 34.02.01.M2, *Substance Abuse Prevention for DOT-Regulated Employees* sets forth the requirements of the US Dept of Transportation drug and alcohol testing requirements for covered drivers and the consequences of violating a related university rule and/or failing a required drug/or alcohol test. TAMU prohibits the use of alcohol and/or drugs on the job or which impairs performance on the job to any extent.

2. University and Legal Sanctions

Employees who violate University rules and SAPs or other restrictions are subject to sanctions including but not limited to verbal or written warnings, suspension with or without pay, demotion, additional training, follow-up testing, or termination. If terminated, the employee can potentially be put on a do not hire list which will restrict the employee from being rehired at the University or any TAMUS institution.

State Laws

- **Public Intoxication** - A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another. (Texas Penal Code 49.02).
    - Class C misdemeanor punishable by a fine of up to $500.00, and a permanent criminal conviction. After three convictions, repeat offenders can be charged with a *Class B Misdemeanor*, facing up to 180 days in jail and a $2,500.00 fine.
- **Possession of Alcoholic Beverage in Motor Vehicle "Open Container"** - A person commits an offense if the person knowingly possesses an open container in a passenger area of a motor vehicle that is located on a public highway, regardless of whether the vehicle is being operated or is stopped or parked. Possession by a person of one or more open containers in a single criminal episode is a single offense. (Texas Penal Code 49.031).
    - *Class C Misdemeanor* punished by a fine not to exceed $500 with no possibility of jail time.
- **Driving While Intoxicated** - A person commits an offense if the person is intoxicated while operating a motor vehicle in a public place. (Texas Penal code 49.04).
    - Note that a person may also be convicted of offenses if intoxicated while driving with a child passenger in the vehicle, operating a plane, or boating. (Texas Penal code 49.045 - .06).
        - 1st DWI (BAC< 0.15) Class B Misdemeanor with a fine up to $2000, a jail term of 72 hours to 180 days, and driver's license suspension of 90 to 365 days.
        - 1st DWI (Open Container) Class B Misdemeanor with a fine up to $2000, a jail term of 6 days to 180 days, and driver's license suspension of 90 to 365 days.
        - 1st DWI (BAC>0.15) Class A Misdemeanor with a fine up to $4000, a jail term up to 1 year and driver's license suspension up to 1 year.
        - 2nd DWI Class A Misdemeanor with a fine up to $4000, a jail term 0f 30 days to 1 year and driver's license suspension 180 days to 2 years.
        - 3rd or Subsequent DWI *3rd Degree Felony* - with a fine up to $10,000, imprisonment of 2 years to 10 years and driver's license suspension 180 days to 2 years.
            - **Administrative License Revocation; Implied Consent*:*** After being arrested for Driving While Intoxicated, failing or refusing the Blood Alcohol Concentration (BAC) test can result in license revocation.
                - Driver's license may be suspended for 180 days to 2 years.
                - Revocation may NOT be probated and there is a $125 reinstatement fee. An appeal process is available.
- **Intoxication Assault** - A person commits an offense if the person, by accident or mistake while operating an aircraft, watercraft, or amusement ride while intoxicated, or while operating a motor vehicle in a public place while intoxicated, by reason of that intoxication causes serious bodily injury to another. (Texas Penal Code 49.07).
    - *Third degree felony* - a fine up to $10,000 and imprisonment of 2 years to 10 years.
- **Intoxication Manslaughter** - A person commits an offense if the person: (1) operates a motor vehicle in a public place, operates an aircraft, a watercraft, or an amusement ride, or assembles a mobile amusement ride; and (2) is intoxicated and by reason of that intoxication causes the death of another by accident or mistake. (Texas Penal Code 49.08)
    - *Second degree felony* - a fine up to $10,000, and imprisonment of 2 years to 20 years in the Texas Department of Criminal Justice (TDCJ).
- **Purchase of Alcohol by a Minor / Attempt to Purchase Alcohol by a Minor** - A minor commits an offense if the minor purchases or attempts to purchase an alcoholic beverage. (Texas Alcoholic Beverage Code 106.02-106.25)
    - Class C Misdemeanor

- With 2 previous conviction the charge enhances offenses are punishable by a fine of not less than $250 or more than $2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- **Sale To Minors** - A person commits an offense if with criminal negligence they sell an alcoholic beverage to a minor. (Texas Alcoholic Beverage Code 106.03)
  - The offense is a *Class A Misdemeanor* punishable by a fine of up to $4,000; confinement in jail for a term not to exceed 1 year; or both the fine and confinement.
- **Consumption of Alcohol by a Minor** - A minor commits an offense if he consumes an alcoholic beverage. (Texas Alcoholic Beverage Code 106.04)
  - The offense is a *Class C Misdemeanor* punishable by a fine of not less than $250 or more than $2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- **Driving or Operating Watercraft Under the Influence of Alcohol by Minor** - A minor commits an offense if the minor operates a motor vehicle in a public place, or a watercraft, while having any detectable amount of alcohol in the minor's system. (Texas Alcoholic Beverage Code 106.041).
  - The offense is a *Class C Misdemeanor* punishable by a fine of not less than $500 or more than $2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. In addition, the court shall order community service to be performed.
- **Possession of Alcohol by a Minor** - A minor commits an offense if he possesses an alcoholic beverage. (Texas Alcoholic Beverage Code 106.05).
  - The offense is a *Class C Misdemeanor* punishable by a fine of not less than $250 or more than $2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- **Purchase of Alcohol for a Minor - Furnishing Alcohol to a Minor** - A person commits an offense if he purchases an alcoholic beverage for or gives or makes available an alcoholic beverage to a minor with criminal negligence. (Texas Alcoholic Beverage Code 106.06).
  - The offense is a *Class A Misdemeanor* punishable by a fine of up to $4,000; confinement in jail for a term not to exceed 1 year; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- **Misrepresentation of Age by a Minor** - A minor commits an offense if he falsely states that he is 21 years of age or older or presents any document that indicates he is 21 years of age or older to a person engaged in selling or serving alcoholic beverages. (Texas Alcoholic Beverage Code 106.07).
  - The offense is a *Class C Misdemeanor* punishable by a fine of not less than $250 or more than $2,000; confinement in jail for a term not to exceed 180 days; or both the fine and confinement. The court may also mandate community service and suspend the driver's license of the convicted individual. Additionally, the court may mandate attendance at an alcohol awareness course.

- **Possession of a Controlled Substances** - A person commits an offense if the person knowingly or intentionally possesses a material, compound, mixture, or preparation containing the controlled substance, which are divided into Penalty Groups 1 through 4. (Texas Health and Safety Code – Health & Safety Code 481.101 – 481.106).
  - Punishable up to a Felony of the 1st Degree with imprisonment for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed $50,000.
    - **Note: Penalty Group 2 - Possession of THC (Marijuana) in Vape Pens, Wax, Dab etc.**
      - Less than 1 gram*:* State Jail Felony (6 months – 2 Years in state jail, and a fine up to $10,000)

- 1 to 4 grams: 3rd Degree Felony (2 – 10 years in state prison, and a fine up to $10,000)
- 4 to 400 grams: 2nd Degree Felony (2 – 20 years in state prison, and a fine up to $10,000)
- More than 400 grams: 1st Degree Felony (5 to 99 years or life in state prison, and a fine not to exceed $50,000)

- **Manufacture, Delivery, or Possession of Miscellaneous Substances** - The manufacture, delivery, or possession of a controlled substance (as defined by the Texas Controlled Substances Act).
  - Punishable by prison time up to 2 to 10 years and a fine of up to $10,000. (Texas Health and Safety Code 481.119).

- **Delivery of Marijuana** - A person commits an offense if the person knowingly or intentionally delivers marijuana.
  - Such offense is punishable by a fine up to $100,000 and/or prison term of life or not more than 99 years. (Tex. Health & Safety Code 481.120).

- **Possession of Marijuana** - A person commits an offense if the person knowingly or intentionally possesses a usable quantity of marijuana.
  - This offense is punishable by a Class B misdemeanor if the amount of marihuana possessed is two ounces or less; a fine not to exceed $2,000, confinement in jail for a term not to exceed 180 days; or both such fine and confinement. With punishment up to a felony of the second degree if the amount of marihuana possessed is 2,000 pounds or less but more than 50 pounds; with imprisonment for life or for a term of not more than 99 years or less than 5 years, and a fine not to exceed $50,000. (Tex. Health & Safety Code 481.121).

- **Delivery of Controlled Substance or Marijuana to Child** - A person commits an offense if the person knowingly delivers a controlled substance listed in Penalty Group 1, 1-A, 2, or 3 (of the Texas Controlled Substances Act) or knowingly delivers marijuana and the person delivers the controlled substance or marijuana to a person who is a child or who is enrolled in a public or private primary or secondary school.
  - This offense is punishable as a felony in the second degree. Punishable by a range from 2 to 20 years in prison and a maximum fine of up to $10,000. (Tex. Health & Safety Code 481.122).

- **Possession or Delivery of Drug Paraphernalia** - Section (a) A person commits an offense if the person knowingly or intentionally uses or possesses with intent to use drug paraphernalia to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance in violation of this chapter or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance; or Section (b) A person commits an offense if the person knowingly or intentionally delivers, possesses with intent to deliver, or manufactures with intent to deliver drug paraphernalia knowing that the person who receives or who is intended to receive the drug paraphernalia intends that it be used to plant, propagate, cultivate, grow, harvest, manufacture, compound, convert, produce, process, prepare, test, analyze, pack, repack, store, contain, or conceal a controlled substance in violation of this chapter or to inject, ingest, inhale, or otherwise introduce into the human body a controlled substance; or Section (c) A person commits an offense if the person commits an offense under Subsection (b), is 18 years of age or older, and the person who receives or who is intended to receive the drug paraphernalia is younger than 18 years of age and at least three years younger than the actor. (Tex. Health & Safety Code 481.125).
  - An offense under Subsection (a) is a Class C Misdemeanor, punishable of up to no more than $500 with no jail time.
  - An offense under Subsection (b) is a Class A misdemeanor, punishment of up to a year in county jail and/or a fine of up to $4,000, unless it is shown on the trial of a defendant that the defendant has previously been convicted under Subsection (b) or (c), in which event the offense is punishable by confinement in jail for a term of not more than one year or less than 90 days.
  - An offense under Subsection (c) is a state jail felony, punishment of jail time of at least 180 days and no more than two years, and a fine which cannot surpass $2,000.

- **Drug Free Zone** - Drug related offenses have increased penalties if the offense occurs in a "drug free zone." Drug free zones include institutions of higher education, youth centers, schools (and other facilities) and the areas surrounding such locations.
    - Penalties include fines that may be doubled and minimum jail terms that may be raised. (Tex. Health & Safety Code 481.134).

Local City Ordinances related to alcohol and other drugs.

College Station

- **Sec. 4-2 Possession and consumption of alcoholic beverages in Northgate Central Business District** - (b) Public consumption and possession. In the Northgate Central Business District, it shall be unlawful to possess an open container or publicly consume an alcoholic beverage. (d)(1) Non-City property. This section shall not be applicable to buildings not owned or controlled by the City, residential structures, or licensed premises located in the Northgate Central Business District or the possession of open containers or consumption of alcoholic beverages in motor vehicles.
    - Punishable by a fine of up to $500.
- **Sec. 86-115 Alcoholic beverages and public intoxication in city parks** –
    (a) It shall be unlawful for any person to bring into, possess or consume any alcoholic or malt beverages on or in any public park, or loiter in an intoxicated condition in such park located within the city limits.
    (b) Upon application to the city manager, or his or her duly authorized representative, any person may obtain a use permit to bring in, possess and consume alcoholic or malt beverages on or in the areas described in subsection (a) of this section. All use permit fees, deposits or bonds shall be set by resolution of the city council and are on file in the city secretary's office.
    - Punishable by a fine of up to $500.
- **Sec. 8-444 Offenses** -
    (b) It shall be unlawful to sell, possess, or consume alcoholic beverages in a non-permitted area.
    - Punishable by a fine of up to $500.
- **Sec. 8-689 Conduct of Drivers** –
    (3) Not inhale or consume any alcoholic beverage, drug, or other substance that could adversely affect their ability to operate a pedicab.
    - Punishable by a fine of up to $500.
- **Glass bottles and containers are prohibited in city parks and certain designated locations**.
    - Punishable by a fine of up to $500.
- **Alcohol may be consumed in city parks by adults 21 years of age or older** - If you have a function where alcohol is served, neither the alcohol nor anything else can be sold without a TABC license.
    - Punishable by a fine of up to $500.

Bryan

- **Sec. 6-2 Sale of Alcoholic Beverages; Hours** –
    (b) It shall be unlawful for any person in the city to sell, offer to sell, or deliver beer or to sell or offer for sale a mixed alcoholic beverage between the hours of 2:00 a.m. and 7:00 a.m. on any day and between the hours of 2:00 a.m. and noon on Sunday, except that beer or a mixed alcoholic beverage may be served to a customer between 10:00 a.m. and noon on Sunday during the service of food to a customer.
    - Punishable by a fine of up to $500.
- **Sec. 6-3 Possession, consumption of alcoholic beverages in public places; hours** - It shall be unlawful for any person in the city to consume or possess with intent to consume an alcoholic beverage in a public place at any time on Sunday between 2:15 a.m. and 12:00 noon and on any other day between 2:15 a.m. and 7:00 a.m.
    - Punishable by a fine of up to $500.

- **Sec. 6-26 Consumption of Alcoholic Beverages Prohibited in Certain Public Places** –

  (a) A person commits an offense if he or she consumes an alcoholic beverage in or on any public street, right-of-way, sidewalk, or pedestrian way located in the Downtown Bryan Area.

  (b) It is a defense to prosecution under subsection (a) of this section that the person:

  (1) Was attending a "special event" permitted under sections 106-190 through 106-197:

  a. That was authorized by the city; and

  b. For which a valid permit or license to sell or serve alcoholic beverages was issued by the Texas Alcoholic Beverage Commission.

  (2) Was within the confines of an establishment licensed by the Texas Alcoholic Beverage Commission for on-premises consumption;

  (3) Was within an area designated as a licensed "sidewalk cafe," as that use is defined by section 62-243, that establishment also being licensed by the Texas Alcoholic Beverage Commission for on-premises consumption;

  (4) Was inside a building not owned or controlled by the city; or

  (5) Was inside a residential structure.

  (c) Nothing in this section is intended to prohibit or otherwise control the manufacture, sale, distribution, transportation, or possession of alcoholic beverages, except to the extent allowed by state law.

  - Punishable by a fine of up to $500.

Austin

- **Sec. 4-11-59 Alcoholic Beverage Consumption Areas** –

  (A) A permit holder shall designate, subject to the approval of the director, the portions of the premises on which the consumption of alcoholic beverages is permitted. A designated area:

  (1) must be located and designed to minimize adverse effects on adjacent property;

  (2) may include the interior of a building or a deck, patio, or garden; and

  (3) must exclude parking areas.

  (B) A person may not consume, and a permit holder, a manager, or an employee of a BYOB venue may not allow the consumption of, an alcoholic beverage outside of a designated area.

  - Punishable by a fine of up to $500.

Brenham

- **Sec. 19-6 Alcoholic Beverages** - It shall be unlawful for any person to consume any alcoholic beverage in, or to carry or bring any alcoholic beverage into, the Blue Bell Aquatic Center.
  - Punishable by a fine of up to $500.

Canyon

- **Sec. 96.01 Alcoholic Beverages in City Park or City-Owned Building** –

  (A) The possession or consumption of alcohol is prohibited in city parks or buildings except as permitted in sections 98.13 and 98.15 of this code.
  - Punishable by a fine of up to $500.

- **Sec. 96.02 City Recreational Vehicle Park** –

  (D) The Director of Park Services for the city shall prepare and post a sign within the park advising those persons using the park of the rules relating to disruptive, destructive, or violent conduct, littering, operation of vehicles within the park; destruction of trees or shrubs within the park; public consumption of alcohol or other intoxicating substances within the park; limitation of stay within the park; regulations relating to animals allowed to roam at large; use of the dump stations; and any city ordinances pertaining to use of the property by visitors to the park. The Park rules shall be approved by the City Commission and may be revised as necessary.
  - Punishable by a fine of up to $500.

- **Sec. 98.13 Events with Alcohol** - (A) Any event providing for alcohol sales or consumption shall have a valid permit or license to sell or serve alcoholic beverages issued by the Texas Alcoholic Beverage Commission and shall

follow all TABC rules and regulations associated with the permit. (B) At any such event the event sponsor shall designate an area for the use of members of the public who elect to bring their own beer or wine to the event and do not purchase beer or wine from the licensee. Members of the public of lawful age may bring beer or wine to special events provided that no glass containers are permitted, and no alcohol consumption is permitted in the city's aquatic park or on playgrounds.

- Punishable by a fine of up to $500.

Corpus Christi

- **Sec. 4-1 Alcoholic Beverages on Public School Property** - It shall be unlawful for any person to possess, use, or consume any alcoholic beverage, as defined by the Texas Alcoholic Beverage Code, in or on any public school property within the city limits.
  - Punishable by a fine of up to $500.
- **Sec. 4-2 Hours During which Consumption or Possession of Alcoholic Beverages in Public Place Prohibited** - It shall be unlawful for any person in the city to consume any alcoholic beverage in any public place or for any person to possess any alcoholic beverage in any public place for the purpose of consuming the same in such public place at any time on Sunday between the hours of 2:15 a.m. and 12:00 noon, and on all other days at any time between the hours of 2:15 a.m. and 7:00 a.m.
  - Penalty upon conviction for violating this section shall be a fine up to fifty dollars ($50.00).
- **Sec. 4-8 Open Containers and Consumption of Alcoholic Beverages Prohibited in Certain Public Places** –

(a) Definitions:

Corpus Christi Central Business District shall mean the area contained within the map submitted to Texas Alcoholic Beverage Commission for approval, a copy of which is on file with the city secretary and incorporated here by reference, with the boundaries beginning on Buford, at the intersection with Shoreline, then west to Alameda, north to Lipan, west to Josephine, north to the alley way between Mestina and Leopard, then west on the alley way to Coke Street, then south to Commanche, then west to Palm Drive, then north to Up River Road, then west to the Woodlawn Shopping Center, then southwest to the southerly point of the Woodlawn Shopping Center, then northwest to the intersection of Elmore and Leopard to include the Woodlawn Shopping Center, then east on Leopard to Oliver Ct., then northeast to the Oliver Ct. dead-end and along the property line to Buddy Lawrence, then southeast to Nueces Bay Blvd., to include the shopping center and U.S. Post Office, then north to the northside frontage road on Interstate 37, then east to Ramirez, then northwest to Waco, then northeast to West Broadway, to include the Old Bayview Cemetery, then along West Broadway, then north from the end of Stillman Road to Harbor Drive, then east on Harbor Drive to Chaparral Street, then to the midway point of the Harbor Bridge, then east into the Corpus Christi Bay to include the spoil island off the barge dock, continuing south to include all the T-Heads, then to Shoreline Drive, just before McGee Beach, and south to the point of beginning at Buford.

Open container shall mean a container that is no longer sealed.

(b) A person commits an offense if he or she possesses an open container of or consumes an alcoholic beverage within the Corpus Christi Central Business District.

(c) It is a defense to prosecution under subsection (b) of this section that the person:

(1) Was in attendance at an event that was authorized by the city manager or the city manager's designee;

(2) Was within the area of an establishment licensed by the Texas Alcoholic Beverage Commission for alcohol consumption on the premises;

(3) Was inside a motor vehicle;

(4) Was inside a building not owned or controlled by the city; or

(5) Was inside a residential structure or on residential property with the owner's consent.

(d) If a person possesses or has in his possession an open container specifically made for the purpose of containing an alcoholic beverage and labeled as containing an alcoholic beverage, it shall be presumed that any content therein is an alcoholic beverage.

(e) Nothing in this section is intended to prohibit or otherwise control the manufacture, sale, distribution, transportation, or possession of alcoholic beverages, except to the extent allowed by state law.

- Punishable by a fine of up to $500.

Dallas

- **Sec. 6-6.1 Open Containers and Consumption of Alcoholic Beverages Prohibited in Certain Public Places** -

(a) A person commits an offense if he consumes an alcoholic beverage outside the Dallas central area on:

(1) any property owned or leased by the city; or

(2) a public street or any public place within 18 feet of a public street.

(b) A person commits an offense if he possesses an open container of or consumes an alcoholic beverage on a public street, public alley, or public sidewalk within 1,000 feet of the property line of a facility that is a public or private school, including a parochial school, that provides all or any part of prekindergarten through twelfth grade.

(c) A person commits an offense if he possesses an open container of or consumes an alcoholic beverage within the Dallas central area.

(d) It is a defense to prosecution under Subsection (a), (b), or (c) of this section that the person:

(1) was attending a special event:

(A) that was authorized by the city; and

(B) for which a valid permit or license to sell or serve alcoholic beverages was issued by the Texas Alcoholic Beverage Commission;

(2) was within the area of an establishment licensed by the Texas Alcoholic Beverage Commission for alcohol consumption on the premises.

(3) is able to prove a defense to prosecution under Section 32-11.3(b) of this code;

(4) was in a motor vehicle;

(5) was inside a building not owned or controlled by the city; or

(6) was inside a residential structure.

(e) Nothing in this section is intended to prohibit or otherwise control the manufacture, sale, distribution, transportation, or possession of alcoholic beverages, except to the extent allowed by state law.

- Punishable by a fine of up to $500.

Fort Worth

- **Sec. 4-5 Possession or Consumption Near Homeless Shelters or Substance Abuse Centers** -

(a) No person may possess an open container or consume an alcoholic beverage on a public street, public alley or public sidewalk within 1,000 feet of the property line of a homeless shelter that is not located in a central business district or a substance abuse treatment center that is not located in the central business district.

(b) Special temporary events/activities/festivals approved by the city council and events/activities/festivals lasting no longer than three days that are open to the public for the purpose of providing entertainment/food and/or sales of merchandise are exempt from the provisions of subsection (a) above.

(c) For purposes of this section, the following definitions will apply.

CENTRAL BUSINESS DISTRICT - A compact and contiguous geographical area of a municipality used for commercial purposes that has historically been the primary location in the municipality where business has been transacted.

HOMELESS SHELTER - A supervised publicly or privately operated shelter or other facility that is designed to provide temporary living accommodations to individuals who lack a fixed regular and adequate residence.

OPEN CONTAINER - A container that is no longer sealed or the meaning assigned by Tex Alcoholic Beverage Code § 109.35, whichever is more restrictive.

- Punishable by a fine of up to $500.

- **Sec. 4-6 Possession or Consumption of Alcohol In Certain Public Places -**

(a) Definitions. For the purposes of this section the following definitions shall apply unless the context clearly indicates or requires a different meaning:

OPEN CONTAINER. A container that is no longer sealed.

WEST 7TH AREA. The area as depicted in Appendix A to this chapter.

(b) A person commits an offense if he possesses an open container of, or consumes, an alcoholic beverage in or on any public street, sidewalk, alley or pedestrian way located in the West 7th Area as defined in this section.

(c) It is a defense to prosecution under subsection (b) if the person:

(1) Was attending a special event that was authorized by the City and for which a valid permit or license to sell or serve alcoholic beverages was issued by the Texas Alcoholic Beverage Commission:

(2) Was inside a building not owned or controlled by the City;

(3) Was inside a residential structure;

(4) Was within the area of an establishment licensed by the Texas Alcoholic Beverage Commission for alcohol consumption on the premises;

(5) Was within the area authorized for a sidewalk cafe as described in Article IX, Chapter 20, evidenced by a properly issued permit.

(d) Nothing in this section is intended to prohibit or otherwise control the manufacture, sale, distribution, transportation, or possession of alcoholic beverages, except to the extent allowed by state law.

(e) Each violation of Section 4-6 is a Class C Misdemeanor and shall be punishable by a fine of not more than five hundred dollars.

* Link to map can be found at https://codelibrary.amlegal.com/codes/ftworth/latest/ftworth_tx/0-0-0-4386

- **Sec. 24-17 Alcoholic Beverages - Prohibited in Ball Fields** –

(a) No person may possess an open container or consume an alcoholic beverage on a public street, public alley or public sidewalk within 1,000 feet of the property line of a homeless shelter that is not located in a central business district or a substance abuse treatment center that is not located in the central business district.

(b) Special temporary events/activities/festivals approved by the city council and events/activities/festivals lasting no longer than three days that are open to the public for the purpose of providing entertainment/food and/or sales of merchandise are exempt from the provisions of subsection (a) above.

(c) For purposes of this section, the following definitions will apply.

CENTRAL BUSINESS DISTRICT. A compact and contiguous geographical area of a municipality used for commercial purposes that has historically been the primary location in the municipality where business has been transacted.

HOMELESS SHELTER. A supervised publicly or privately operated shelter or other facility that is designed to provide temporary living accommodations to individuals who lack a fixed regular and adequate residence.

OPEN CONTAINER. A container that is no longer sealed or the meaning assigned by Tex Alcoholic Beverage Code § 109.35, whichever is more restrictive.

- Punishable by a fine of up to $500.

Houston

- **Sec. 3.3 Alcohol in central business district** –

(a) In this section, the following words and terms shall have the meanings ascribed in this subsection:

Central business district means the area designated in Ordinance No. 2023-1001, adopted on November 15, 2023 by city council as "MIXED LAND USE/ENTERTAINMENT ZONE 1."

Licensed premises means the premises of any place for which a Texas Alcoholic Beverage Commission permit or license has been issued that allows on-premises consumption of alcoholic beverages.

Open container means an alcoholic beverage container that is no longer sealed.

Special event lot means a lot leased or licensed by the owner, operator, manager or management team of a sports venue through an agreement with the lot owner and where the lot is under the control of the owner, operator, manager or management team of the sports venue during an event authorized by them.

Sports venue means a stadium, arena, ballpark, parking lot, or other related property in the central business district that is owned, operated, or project managed by the Harris County-Houston Sports Authority.

(b) It shall be unlawful for any person to be in possession of an open container in the central business district.

(c) It shall be unlawful for any person to engage in the public consumption of any alcoholic beverage in the central business district.

(d) It is a defense to prosecution under this section that the alleged offense took place in a motor vehicle; in a building not owned or controlled by the city; in a residential structure; on the premises of a sports venue or special event lot during the hours authorized by the owner, operator, manager or management team of the sports venue; or on licensed premises that are situated in the central business district.

- Punishable by a fine of up to $500.

Kingsville

- **Sec. 9-8-11 Liquor in Public Parks Prohibited, Exception** -

(A) Except as hereinafter provided, it shall be unlawful for any person to consume or possess any alcoholic beverage or beverages in any public park within the corporate limits of the city.

(B) In the event a person, persons, or corporation shall lease or rent park facilities managed by the City for public or private use and shall desire to serve or permit alcoholic beverages to be consumed on the premises, in addition to the requirements for Special Use Permit Agreements in §9-8-8, the following rules shall apply:

(1) (a) An application shall be made to the Parks & Recreation Director which shall contain the following:

1.The person or persons responsible for the use of the building.

2.The purpose for which the building is to be used.

3.The number of persons expected to attend the function for which the building let.

4.The type of beverages to be sold or consumed on the premises.

5.The type of security that will be provided by the applicant.

6.The hours such beverages will be sold or consumed on the premises.

7.The person whose license will be used for the sale of any alcoholic beverage.

8.The applicant shall sign a statement that all applicable state laws will be complied with before any alcoholic beverages are sold or consumed on the premises.

9.Proof of Liability and Liquor Liability Insurance naming City of Kingsville as additionally insured, security plan, and proof of staffing certification by TABC.

(b) If the City Manager deems that the public interest shall be served by the issuance of a permit for such purposes, then the City Manager may issue a permit and such permit shall contain the rules applicable to same.

(2) In addition to the items enumerated above, the City Manager may make such additional requirements as they deem necessary for the safety and well-being of the persons attending such function.

- Punishable by a fine of up to $500.

McAllen

- **Sec. 6-3 Sale, Possession and Consumption of Alcoholic Beverages During Extended Hours** –

(a) It shall be lawful for the holder of a mixed beverage permit within the corporate limits of the city to acquire a mixed beverage late hours permit and under such mixed beverage late.

(b) It shall be unlawful for any person within the corporate limits of the city to consume or possess with intent to consume an alcoholic beverage in a public place at any time on Sunday between 1:15 a.m. and 12:00 noon or on any other day between 12:15 a.m. and 7:00 a.m., provided, however, it shall not be unlawful for a person to consume or possess with intent to consume an alcoholic beverage if such alcoholic beverage is

within the confines and limits of the premises on which a mixed beverage late hours permit has been issued during the extended hours granted by subsection (a).

(c) A violation of subsection (b) is punishable by a fine of not more than $50.00.

(d) The penalty provided for in subsection (c) should not be construed as exclusive, and the city hereby provides that any other remedy available to it in the enforcement of this section, in law or in equity, is not intended to be, is not to be, and is not foreclosed by the provision of such penalty.

- **Sec. 6-4 McAllen Nature Center; Alcoholic Beverages Prohibited** –
  (a) The property previously known as the Valley Botanical Gardens or McAllen Botanical Gardens, shall be known and referred to as the McAllen Nature Center.
  (b) No person shall possess or consume any alcoholic beverages in the McAllen Nature Center at any time.
    - Punishable by a fine of up to $500.

- **Sec. 6-5 Possession or Consumption of Alcoholic Beverages in the Central Business District** –
  (a) CBD is defined as that area of the city lying within the boundaries of Business 83, Houston Avenue, 18th (Bicentennial) and Tenth Street.
  (b) Open container means a container that is no longer sealed which contains an alcoholic beverage.
  (c) Pedestrian shall mean any person standing, walking, or traversing any public roadway, park, sidewalk or alley, including public and private parking lots located within the CBD.
  (d) It shall be unlawful for a pedestrian to possess an open container of an alcoholic beverage or to consume an alcoholic beverage in the CBD.
  (e) This section does not prohibit the legal possession of an open container or the consumption of alcoholic beverages in motor vehicles, buildings not owned or controlled by the city, residential structures or licensed premises located within the CBD, or anywhere within the Entertainment and Cultural Overlay District established under chapter 138 of this Code, whenever city manager or designee has issued a special events permit allowing the sale of alcoholic beverages, the possession by pedestrians of open containers of alcoholic beverages, or the consumption of alcoholic beverages at any location specified in said permit, which shall be made subject to such reasonable conditions and requirements as are deemed necessary and proper to maintain the health, safety and welfare of persons within and in the vicinity of the specified locations.
    - Punishable by a fine of up to $500.

- **Sec. 74-77 Alcoholic Beverages Prohibited** –
  (a) Athletic events. No person may possess or consume alcoholic beverages in a city-owned or controlled park or recreational facility during the time in which an organized athletic activity is being conducted at that park or recreational facility, whether or not such athletic activity is organized by the city or any other person.
    - Punishable by a fine of up to $500.

Midland

- **Sec. 5-4-6 Consumption in Certain Places Prohibited** –
  (a) It shall be unlawful for any person to consume any alcoholic beverage (as defined in V.T.C.A., Alcoholic Beverage Code § 1.04(1)) in or upon any motor vehicle when the said motor vehicle is upon a public highway, road, street, alley, or sidewalk within the City.
  (b) It shall be unlawful for any person to consume any alcoholic beverage (as defined in V.T.C.A., Alcoholic Beverage Code § 1.04(1)) in or upon any public highway, road, street, alley or sidewalk within the City.
  (c) The possession of an alcoholic beverage, not in the original unopened container, shall be prima facie evidence of consumption for purposes of subsection (A) and subsection (B) above. Provided, however, that this Section shall not apply to any alcoholic beverage that is locked in the trunk of a motor vehicle in such a manner as to be inaccessible from the interior or to any person riding in such vehicle.
  (d) Provided, however, that the provisions of subsection (B) above shall not apply to any public highway, road, street, alley or sidewalk within the City that has been temporarily closed to public use for vehicular or pedestrian traffic by order of the City Council for special events and for special civic occasions.
    - Punishable by a fine of up to $500.

- **Sec. 9-5-20 Possession and Consumption of Alcoholic Beverages** –
  (a) It shall be unlawful for any person to consume any alcoholic beverage (as defined in V.T.C.A., Alcoholic Beverage Code § 1.04(1)) while in or upon Hogan Park and any of the public parks listed in Section 9-5-18 of this Chapter, with the exception of those portions of Hogan Park and Ulmer Park, set forth in Subsection (B) of this Section. The possession of an alcoholic beverage not in the original unopened container shall be prima facie evidence of consumption for purposes of this Section.
  (b) Consumption
    1. The consumption of alcoholic beverages within the golf course and Christensen Stadium at Hogan Park shall be allowed, subject to applicable state law and ordinances of the City.
    2. The consumption of beer, and no other alcoholic beverage, shall be allowed within the main picnic area at Hogan Park, being that area surrounded by a fence and designated as the main picnic area by appropriate signs and markings, and within 100 feet of the picnic tables at Ulmer Park, subject to the following conditions:
    Beer must be dispensed from a metal keg, and only paper or plastic cups may be used for the consumption of same.
    (b) Use of the main picnic area for activities which include the possession and consumption of beer shall be limited to groups of 50 persons or more which have first obtained a reservation permit from the Parks Division office for the use of such area. Such permit shall be issued on a first come, first served basis. The Parks office may issue permits to smaller groups on any days that are not reserved by 50 or more persons, again on the first come, first served basis.
    3. The consumption of beer, but no other alcoholic beverage, shall be allowed within the Bill Williams Softball Complex at Hogan Park consisting of fields A, B, C, D, E and F which are all enclosed within a common fence and identified by appropriate signs, but only on the days during which national championship tournaments or state tournaments are being conducted within said complex. National Championship Tournaments are defined as being open to member teams from the sponsoring association or organization and at least 80 percent of the competing teams are from outside the State of Texas. State Tournaments are defined as tournaments which are open to all member teams in the State of Texas of the sponsoring association or organization that has at least 60 percent of the competing teams are from outside Midland County, Texas and where the opportunity exists for the champion to compete in other tournaments at a regional, bi-regional or national level.
  (c) The consumption and possession of beer and wine, and no other alcoholic beverages, will be permitted within Centennial Plaza subject to applicable state and local law and regulations promulgated by the Midland Center advisory board, and upon written approval by Midland Center management.
    - Punishable by a fine of up to $500.

Round Rock

- **Sec. 4-5 Unlawful to Drink or Possess Intoxicating Liquors Within Certain Areas** –
  (a) Ball fields. It shall be unlawful for any person, firm or corporation to carry, possess, or drink any alcoholic or intoxicating beverage in any city-owned or -operated baseball or softball field while a person or persons of non-drinking age are participating in organized league play.
  (b) Swimming pool areas. Except as provided herein, it shall be unlawful for any person, firm, or corporation to carry, possess, or drink any alcoholic or intoxicating beverage in any city-owned and -operated swimming pool area. The foregoing prohibition shall not apply to any swimming pool owned by the city, but operated or managed by a third party under contract with the city.
  (c) Park areas—Permits. It shall be unlawful for any person, firm or corporation to sell any alcoholic or intoxicating beverage in any city-owned or -operated park without first obtaining a permit therefor from the chief of police. The decision of the chief of police to grant or deny any such permit shall be appealable to the city council.
    - Punishable by a fine of up to $500.

Temple

- **Sec. 25-14 Consumption or Possession of Alcoholic Beverages in Jones Park and Temple Skate Park Prohibited** - No person shall consume, or possess with the intent to consume, an alcoholic beverage within the confines of Jones Park or Temple Skate Park.
    - Punishable by a fine of up to $500.
- **Sec. 36 Transportation of Alcoholic Beverages** - It shall be unlawful to transport alcoholic beverages in a taxicab or for any taxicab driver to have on his person any alcoholic beverage while driving and operating a taxicab in service. However, alcoholic beverages which are owned and in the exclusive possession and control of a fare-paying passenger may be transported. It shall be unlawful for any driver or passenger of any taxicab to have an open bottle of an alcoholic beverage of any kind while inside the taxicab.
    - Punishable by a fine of up to $500.
- **Sec. 3-23 Operation of Aircraft While Under Influence of or Using Liquor or Drugs** - It shall be unlawful for any person to take off, land or operate any aircraft from, at or over the airport while under the influence of or using any intoxicating liquor or habit-forming drug.
    - Punishable by a fine of up to $500.

Washington DC

- **Sec. 25-1002 Purchase, Possession of Consumption by Persons Under 21; Misrepresentation of Age; Penalties** -
    (a) No person who is under 21 years of age shall purchase, attempt to purchase, possess, or drink an alcoholic beverage in the District, except as provided under subchapter IX of Chapter 7.
    (b)
        (1) No person shall falsely represent his or her age, or possess or present as proof of age an identification document which is in any way fraudulent, for the purpose of purchasing, possessing, or drinking an alcoholic beverage in the District.
        (2) No person shall present a fraudulent identification document for the purpose of entering an establishment possessing an on-premises retailer's license, an Arena C/X license, or a temporary license.
        (3) For the purpose of determining valid representation of age, each person shall be required to present to the establishment owner or representative at least one form of valid identification, which shall have been issued by an agency of government (local, state, federal, or foreign) and shall contain the name, date of birth, signature, and photograph of the individual; provided, that a military identification card issued by an agency of government (local, state, federal, or foreign) shall be an acceptable form of valid identification whether or not it contains the individual's signature.
    (c)
        (1) Except as provided in paragraph (4)(D) of this subsection, any person who violates any provision of this section shall be guilty of a misdemeanor and, upon conviction, shall be subject to a fine and suspension of driving privileges as follows:
            (A) Upon the first violation, a fine of not more than $300 and suspension of driving privileges in the District for 90 consecutive days;
            (B) Upon the second violation, a fine of not more than $600 and suspension of driving privileges in the District for 180 days; and
            (C) Upon the third and each subsequent violation, a fine of not more than $1,000 and suspension of driving privileges in the District for one year.
    - Punishable by a fine of up to $500.
- **Sec. 25-1001 Drinking of Alcoholic Beverage in Public Place Prohibited; Intoxication Prohibited** –
    (a) Except as provided in subsections (b) and (c) of this section, no person in the District shall drink an alcoholic beverage or possess in an open container an alcoholic beverage in or upon any of the following places:
        (1) A street, alley, park, sidewalk, or parking area;

(2) A vehicle in or upon any street, alley, park, or parking area;
(3) A premises not licensed under this title where food or nonalcoholic beverages are sold or entertainment is provided for compensation;
(4) Any place to which the public is invited and for which a license to sell alcoholic beverages has not been issued under this title;
(5) Any place to which the public is invited for which a license to sell alcoholic beverages has been issued under this title at a time when the sale of alcoholic beverages on the premises is prohibited by this title or by the regulations promulgated under this title; or
(6) Any place licensed under a club license at a time when the consumption of the alcoholic beverages on the premises is prohibited by this title or by regulations promulgated under this title.

(b) Subsection (a)(1) of this section shall not apply if drinking or possession of an alcoholic beverage occurs:
(1) In or on a structure that projects upon the parking, and which is an integral, structural part of a private residence, such as a front porch, terrace, bay window, or vault, by, or with the permission of, the owner or resident; or
(2) At an event licensed by the Board.

(c) No person, whether in or on public or private property, shall be intoxicated and endanger the safety of himself, herself, or any other person or property.

(d) Any person violating the provisions of subsection (a) or (c) of this section shall be guilty of a misdemeanor and, upon conviction, shall be punished by a fine of not more than the amount set forth in [§ 22-3571.01], or imprisoned for not more than 60 days, or both.

- **SEC 25-1003 Prohibition on Beverage Storage Containers in the DC Area and Soccer Stadium –**

(a) No person shall bring, or have in his or her possession, anywhere on the premises of the DC Arena or the Soccer Stadium, including space referred to in section § 25-114, a container used to hold or store beverages or liquids of any kind, including bottles and cans.

(b) This section shall not apply to a person licensed by the Board to possess, sell, give away, transport, or store alcoholic beverages or containers on the premises of the DC Arena or the Soccer Stadium; to an employee or agency acting for any such duly authorized or licensed person; or to a container provided on the premises of the DC Arena or the Soccer Stadium, by the lessee of the DC Arena or its concessionaires and tenants, or by the operator of the Soccer Stadium or its concessionaires and tenants.

- Punishable by a fine of up to $500.

Standard State Legal Charges & Penalties

Charges- Fines- Imprisonment

Felony
First Degree - $10,000 and/or 5 to 99 years (or life) in confinement
Second Degree - $10,000 and/or 2 to 20 years of confinement
Third Degree - $10,000 and/or 2 to 10 years of confinement
State Jail Felony - $10,000 and/or 180 days to 2 years of confinement

Federal trafficking penalties for Schedules I, II, III, IV, and V
https://www.dea.gov/drug-scheduling

Misdemeanor
Class A - Up to $4,000 and/or up to 1 year of confinement
Class B - Up to $2,000 and/or up to 180 days of confinement
Class C - Up to $500 – No confinement

3. Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol

Outlined below is a listing of drugs of abuse and their health risks taken from the U.S. Drug Enforcement Administration website. A complete resource guide provided by the U.S. Department of Justice; Drug Enforcement Administration can be obtained by following this link.

Alcohol

Alcohol (beer, wine, or liquor) has a high potential for physical and psychological dependence as well as resulting in increased tolerance. Possible effects include impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may include trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions. Females who drink alcohol during pregnancy may give birth to infants with Fetal Alcohol Syndrome. These infants have irreversible physical abnormalities and mental retardation. In addition, research indicates that children of alcoholic parents are at greater risk than other children of becoming alcoholics. Alcohol use is often related to acquaintance rape and failure to protect oneself from sexually transmitted diseases (STDs). Additionally, alcohol-related accidents are the number one cause of death in the 16 to 24 year-old age group.

Narcotics

Narcotics (including heroin, morphine, hydrocodone, oxycodone, codeine, and others) have a high potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible effects of using narcotics include euphoria, drowsiness, respiratory depression, constricted pupils, and nausea. Overdose may result in shallow breathing, clammy skin, convulsions, coma, and death. Withdrawal may include irritability, tremors, panic, nausea, chills, and sweating.

Other Depressants

Other depressants (including GHB or liquid ecstasy, valium, xanax, ambien, and barbituates) have a potential for both physical and psychological dependence as well as resulting in increased tolerance. The possible side effects include slurred speech, disorientation, appearance of intoxication, and impaired memory. Overdose may result in shallow respiration, clammy skin, dilated pupils, weak and rapid pulse, coma and possible death. Withdrawal may include anxiety, insomnia, tremors, delirium, convulsions, and possible death.

Stimulants

Stimulants (including cocaine, methamphetamine, and methylphenidate) have a possible risk of physical dependence and high risk for psychological dependence. Tolerance can develop in all stimulants. The possible side effects include increased alertness, excitation, euphoria, increased pulse rate and blood pressure, insomnia, and decreased appetite. Overdose may result in agitation, increased body temperature, hallucinations, convulsions, and possible death. Withdrawal may result in apathy, long periods of sleep, irritability, depression, and disorientation.

Hallucinogens

Hallucinogens (including MDMA, LSD, Phencyclidine, and others) are less likely to result in physical dependence, with the exception of phencyclidines and analogs, and vary in terms of psychological dependence, ranging from none to moderate (MDMA) to high (phencyclidine and analogs). Tolerance can develop. Possible effects include heightened senses, teeth grinding, and dehydration (MDMA and analogs) and hallucinations, altered perception of time and distance in other types of hallucinogens. Overdose may result in increased body temperature and cardiac arrest for MDMA and more intense episodes for LSD. Some hallucinogens may result in muscle aches and depression when in withdrawal (MDMA) or may result in drug seeking behavior.

Cannabis

Cannabis includes marijuana, tetrahydrocannabinol (THC), and hashish or hashish oil. All may result in moderate psychological dependence with THC resulting in physical dependence. Tolerance can develop in all forms. Possible effects include euphoria, relaxed inhibitions, increased appetite, and disorientation. Overdose may result in fatigue, paranoia, and possible psychosis. Withdrawal may occasionally result in insomnia, hyperactivity, and decreased appetite.

Anabolic Steroids

Anabolic Steroids (including testosterone and others) may result in psychological dependence. Less is known as to their potential for physical dependence and increased tolerance levels. Possible effects may include virilization, edema, testicular atrophy, gynecomastia, acne, and aggressive behavior. Effects of overdose are unknown. Withdrawal may possibly include depression.

Inhalants

Inhalants (including amyl and butyl nitrite, nitrous oxide, and others) vary in their level of psychological dependence, with less known about their potential for physical dependence and tolerance. Possible effects may include flushing, hypotension, and headache, impaired memory, slurred speech, drunken behavior, slow onset, vitamin deficiency, and organ damage. Overdose may result in methemoglobinemia, vomiting, respiratory depression, loss of consciousness, and possible death. Withdrawal may result in agitation, trembling, anxiety, insomnia, vitamin deficiency, confusion, hallucinations, and convulsions.

For additional health risks associated with alcohol and drug abuse:

- Department of Justice, Drugs of Abuse
- National Institute of Alcohol Abuse, and Alcoholism, Alcohol's Effect on the Body
- Center for Disease Control and Prevention, Fact Sheets- Alcohol Use and Your Health
- National Institute on Drug Abuse

For direct assistance, contact Human Resources at (979) 845-4141.

4. Employee Assistance Programs and Other Resources

Through the resources of local, national and University efforts, assistance is available for those individuals with alcohol and drug abuse problems. TAMU offers the following drug and alcohol abuse information, counseling, assistance, and services:

Programs

TAMU offers an Employee Assistance Program (EAP) through Work/Life Solutions Programs which offers counseling, work-life assistance, and crisis intervention services for a broad range of reasons including alcohol and drug abuse. The confidential services are available to employees as well as their household family members.

The EAP is a confidential counseling service provided to full-time employees and their household family members for personal and work concerns which may be interfering with work performance and/or quality of life. The EAP serves as an excellent resource for addressing difficult employee relations issues such as substance and alcohol abuse and workplace conflicts. Additionally, the EAP provides training opportunities for employees and supervisors.

The EAP is available 24 hours a day, 365 days a year, by contacting:

New EAP Users:

Go to www.guidanceresources.com and click Register
Enter "TAMUS" for the Organization Web ID
Select your campus
Set up your profile and submit

Or

GuidanceResources® by CompPsych
Open 24 hours every day

Active employees: 866.301.9623
Retired employees: 833.306.0105
Qatar employees: 00800.100.071

Online: guidanceresources.com
Organization Web ID: TAMUS

Health insurance coverage is available for treatment of alcohol and drug abuse. Employees should contact their individual health plan representative for information about insurance coverage.

Employees who voluntarily seek treatment or counseling for drug or alcohol related problems are accommodated as much as possible to allow them to address the problem. Employees are encouraged to use available resources such as EAP, sick leave, compensatory time, and vacation leave in order to participate in a drug rehabilitation program.

Full time employees are eligible to participate in the Living Well program, which encourages TAMU employees to engage in fitness activity. This program promotes a healthy lifestyle, away from the pressures or risks of drugs and alcohol. They offer many health behavioral resources on the Living Well website at **livingwell.tamu.edu/wellness-resources**

ADA accommodations:

Employees with a disability who are seeking workplace accommodations should contact their HR liaison or Employee Relations at 979-845-4141, follow *University SAP 08.01.02.M0.01, Reasonable Accommodation Requests under the ADA and Other State and Fed Laws* and visit the Employee Relations ADA accommodations website.

TAMU Community Resources:

- Alcoholics Anonymous/Al-Anon: 979.353.2538
- Brazos Valley Council on Alcohol & Substance Abuse: 979.846.3560 or 1.866.448.1699
- Narcotics Anonymous of Brazos Valley: 979.822.9094 or 979.219.2744
- Mental Health and Substance Abuse Crisis Line (Brazos Valley): 1.888.522.8262
- MHMR Authority of Brazos Valley Main Line: 979.822-6467
- NAMI/Brazos Valley (National Alliance on Mental Illness) Helpline: 979.774.4713 or 800.950.6294
- Hearing-impaired individuals can access these resources by using TTY telephones to call Relay Texas at 1.800.735.2989

TAMU - Dallas Resources:

- Confidential Hot Line
  Dallas, Texas
  Helpline: 214.206.7496
  https://www.dcds.org/member-center/dentists-concerned-for-dentists
- Recovery Resource Council
  1349 Empire Central Drive #800
  Dallas, TX 75247
  214.522.8600
  https://recoverycouncil.org/

Mays Business School – CityCentre Resources:

Local Treatment Programs:

- Behavioral Hospital of Bellaire Detox, Drug and Alcohol Rehabilitation 713.600.9500 or 800.423.0017
- Cypress Creek Hospital Chemical Dependency Treatment Detoxification 281.586.7600
- Memorial Hermann Prevention and Recovery Center (PaRC) 832.781.0410
- Palmer Drug Abuse Program (PDAP) 281.589.4833
- Phoenix House Prevention and Intervention Svcs of Houston / Galveston 888.671.9392 or 713.426.2637
- The Right Step 844.768.0169 (24/7 hotline)
- Houston Recovery Center-Sobering Center-24 hrs (150 N Chenevert St, Houston, TX 77002) 713.236.7800
- Way Out Recovery Program (LBGT/ HIV Recovery Services) 713.529.0037

Local Resources:

- The Helpline for Harris County residents 713.970.7000 or 1.866.970.4770
- Narcotics Anonymous of the Houston Area 713.661.4200 or 888.600.6229 (Espanol)
- Alcoholics Anonymous of the Houston Area 713.686.6300 or 713.661.6833 (Español)

- Al-Anon Family Groups-Houston Intergroup 713.683.7227
- Career and Recovery (United Way) 713.754.7000
- The Council on Recovery (United Way) 713.914.0556

National Resources:

- SAMHSA (Substance Abuse and Mental Health Services Administration) – 1.800.662.4357 or TTY: 800.487.4889
  Department of Drug Enforcement: Drug Fact Sheets

5. Disciplinary Sanctions

The TAMU policy prohibiting the unlawful possession, use, distribution, or manufacture of illicit drugs and/or alcohol on the campus and at university-sponsored events protects and supports the employees and students of TAMU.

Sanctions under Law

All TAMU students and employees are expected to comply with federal, state, and local drug and alcohol laws as well as TAMU policies and procedures. Any student or employee who violates any of these drug or alcohol laws will be reported to the appropriate law enforcement agency and will be subject to prosecution in accordance with the law. Legal sanctions for violations of local, state, and/or federal laws may include, but are not limited to fines, jail, or prison sentences up to ninety-nine (99) years or life.

University Sanctions

The university shall, within the scope of applicable federal and state due process requirements, take such administrative or disciplinary action as is appropriate for violations of the Drug and Alcohol Abuse Prevention Program, TAMU policy and applicable law. When such violation is also a violation of federal, state, or local law, TAMU may decide to proceed or delay its own disciplinary processes.

Employee

- Upon reasonable suspicion that a controlled substance or alcohol is affecting attendance, performance, or safety at work, employees may be required to submit to drug or alcohol testing, enroll in an assistance program, take leave without pay, and, potentially, be separated from the university.
- In the event of prohibited possession, use, or distribution by an employee, administrative or disciplinary action may include, but is not limited to, reprimand, suspension, termination of employment, or referral to the appropriate law enforcement agency.
- If the employee engages in driving as part of his/her job-related duties, such privilege may be revoked.

6. Appendix

Appendix 1

FEDERAL TRAFFICKING PENALTIES—

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	**First Offense:** Not less than 5 yrs, and not more than 40 yrs. If death or serious injury, not less than 20 or more than life. Fine of not more than $5 million if an individual, $25 million if not an individual. **Second Offense:** Not less than 10 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $8 million if an individual, $50 million if not an individual.	5 kgs or more mixture	**First Offense:** Not less than 10 yrs, and not more than life. If death or serious injury, not less than 20 or more than life. Fine of not more than $10 million if an individual, $50 million if not an individual. **Second Offense:** Not less than 20 yrs, and not more than life. If death or serious injury, life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual. **2 or More Prior Offenses:** Life imprisonment. Fine of not more than $20 million if an individual, $75 million if not an individual.
Cocaine Base (Schedule II)	28–279 grams mixture		280 grams or more mixture	
Fentanyl (Schedule II)	40–399 grams mixture		400 grams or more mixture	
Fentanyl Analogue (Schedule I)	10–99 grams mixture		100 grams or more mixture	
Heroin (Schedule I)	100–999 grams mixture		1 kg or more mixture	
LSD (Schedule I)	1–9 grams mixture		10 grams or more mixture	
Methamphetamine (Schedule II)	5–49 grams pure or 50–499 grams mixture		50 grams or more pure or 500 grams or more mixture	
PCP (Schedule II)	10–99 grams pure or 100–999 grams mixture		100 gm or more pure or 1 kg or more mixture	

		PENALTIES
Other Schedule I & II drugs (and any drug product containing Gamma Hydroxybutyric Acid)	Any amount	**First Offense:** Not more than 20 yrs. If death or serious injury, not less than 20 yrs, or more than life. Fine $1 million if an individual, $5 million if not an individual. **Second Offense:** Not more than 30 yrs. If death or serious bodily injury, life imprison- ment. Fine $2 million if an individual, $10 million if not an individual.
Flunitrazepam (Schedule IV)	1 gram	
Other Schedule III drugs	Any amount	**First Offense:** Not more than 10 years. If death or serious injury, not more that 15 yrs. Fine not more than $500,000 if an individual, $2.5 million if not an individual. **Second Offense:** Not more than 20 yrs. If death or serious injury, not more than 30 yrs. Fine not more than $1 million if an individual, $5 million if not an individual.
All other Schedule IV drugs	Any amount	**First Offense:** Not more than 5 yrs. Fine not more than $250,000 if an individual, $1 million if not an individual. **Second Offense:** Not more than 10 yrs. Fine not more than $500,000 if an individual, $2 million if other than an individual.
Flunitrazepam (Schedule IV)	Other than 1 gram or more	
All Schedule V drugs	Any amount	**First Offense:** Not more than 1 yr. Fine not more than $100,000 if an individual, $250,000 if not an individual. **Second Offense:** Not more than 4 yrs. Fine not more than $200,000 if an individual, $500,000 if not an individual.

Appendix 2

FEDERAL TRAFFICKING PENALTIES—MARIJUANA—

DRUG	QUANTITY	1st OFFENSE	2nd OFFENSE *
Marijuana (Schedule I)	1,000 kg or more marijuana mixture; or 1,000 or more marijuana plants	Not less than 10 yrs. or more than life. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than $10 million if an individual, $50 million if other than an individual.	Not less than 20 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 moillion if an individual, $75 million if other than an individual.
Marijuana (Schedule I)	100 kg to 999 kg marijuana mixture; or 100 to 999 marijuana plants	Not less than 5 yrs. or more than 40 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine not more than life. Fine not more than $5 million if an individual, $25 million if other than an individual.	Not less than 10 yrs. or more than life. If death or serious bodily injury, life imprisonment. Fine not more than $20 moillion if an individual, $75 million if other than an individual.
Marijuana (Schedule I)	More than 10 kgs hashish; 50 to 99 kg marijuana mixture More than 1 kg of hashish oil; 50 to 99 marijuana plants	Not less than 20 yrs. If death or serious bodily injury, not less than 20 yrs., or more than life. Fine $1 million if an individual, $5 million if other than an individual.	Not less than 30 yrs. If death or serious bodily injury, life imprisonment. Fine $2 million if an individual, $10 million if other than an individual.
Marijuana (Schedule I)	Less than 50 kilograms marijuana (but does not include 50 or more marijuana plants regardless of weight) marijuana plants; 1 to 49 marijuana plants;	Not less than 5 yrs. Fine not more than $250,000, $1 million if other than an individual	Not less than 10 yrs. Fine $500,000 if an individual, $2 million if other than individual
Hashish (Schedule I)	10 kg or less		
Hashish Oil (Schedule I)	1 kg or less		

*The minimum sentence for a violation after two or more prior convictions for a felony drug offense have become final is a mandatory term of life imprisonment without release and a fine up to $20 million if an individual and $75 million if other than an individual.