

Underage Drinking and Fake ID Laws FAQ

What are the underage drinking laws?

- It is illegal for anyone under 21 years old to consume alcohol.
- It is illegal for anyone under 21 years old to purchase or attempt to purchase alcohol.
- It is illegal for anyone under 21 years old to possess alcohol with the intent to consume it.

Is it legal for someone under 21 to drink if their parents give them alcohol?

Yes. Someone under 21 years old can drink alcohol if it is in their parents' home and they have their parents' permission.

What is the penalty for giving or providing alcohol to someone under 21 years old?

Giving alcohol to someone under 21 is a gross misdemeanor. This means you could receive a \$3,000 fine and/or one year in jail.

Can I still invite my friends who are under 21 to a party if there is going to be alcohol there?

- Yes. But, you will be responsible for making sure they do not possess or consume the alcohol.
- Hosting a party where people under 21 years old possess or consume alcohol would make you eligible for consequences under the Social Host Ordinance, even if you did not provide the alcohol.
- Being in close proximity to alcohol is not the same as possession.
- A few things you can do include:
 - Keep the alcohol in a separate room where only those over 21 can go.
 - Check IDs to make sure only people who are over 21 are drinking.
 - Limit the number of people so it is easier to keep an eye on things.

What is the penalty for using a fake ID to buy, or try to buy, alcohol?

It is a misdemeanor to use a fake ID to purchase alcohol. This means you could have to pay up to a \$1,000 fine and/or 90 days in jail.

What happens to a fake ID if it is confiscated?

If a bar, restaurant or liquor store believes that the ID you are showing is fake, or has been altered, they can confiscate it. Any confiscated IDs are required by law to be turned over to law enforcement within 24 hours.

Is it illegal to give a fake name to a cop?

- Yes. It is illegal (a misdemeanor) to give a fake name or fake ID to a cop.
- And, giving a cop the name or ID of a **real** person is a gross misdemeanor and you could face jail time.
- These consequences would be in addition to other charges that you could be facing, such as underage possession or consumption, and will just make the situation worse.
- Always give your real name and birthday if you are questioned by the police.

Is it illegal to give someone your ID to use?

Yes. It is illegal to lend someone your driver's license, or Minnesota identification card, and allow them to use it. The penalty is a misdemeanor.

This information should not be considered legal advice. Consult an attorney regarding your rights and responsibilities in a particular situation.

University of Minnesota students can contact University Student Legal Services for legal services that are free or at minimal charge. Website: <http://www1.umn.edu/usls/> Phone: 612-624-1001 E-mail: usls@umn.edu