

## 2024 Drug and Alcohol Abuse Prevention Program (DAAPP) Notice – for Students

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

## 1. Standards of Conduct (Main and Qatar Campuses)

### University Drug Policies

All members of the University community are expected to abide by state and federal laws pertaining to controlled substances and illegal drugs. More specifically, Texas A&M University Student Rule 24.4.12, *Drugs* prohibit "the act of using, possessing, being under the influence of, manufacturing, or distributing illegal drugs or illegally obtained/possessed controlled substances."

"Controlled substances" refers to those drugs and substances whose possession, sale, or delivery results in criminal sanctions under the Texas Controlled Substances Act, as well as substances which possess a chemical structure similar to that of a controlled substance (e.g., "designer drugs").

### University Alcohol Policies

Individuals must be at least 21 years old to purchase alcoholic beverages. Possession and consumption of alcoholic beverages is restricted. Texas A&M University Student Rule 24.4.13, *Alcohol* states that "alcohol use, possession, manufacturing, or distribution of alcoholic beverages (except as expressly authorized by University regulations), is prohibited on Texas A&M University premises and University sponsored events." University sponsored events include institution-sponsored on or off campus activities, such as officially sanctioned field trips, student sponsored social activities, activities of a student organization recognized by the institution (such as fraternities or sororities), and institutional-sponsored activities abroad. Student organizations, which sponsor activities where alcohol is served, must have the approval of their (faculty/staff) advisor and abide by established University procedures.

Students, ages 21 or older, who choose to consume alcoholic beverages in residence hall rooms are expected to do so in moderation to ensure residents' rights to privacy, sleep, and study. The following behaviors are reasons for appropriate disciplinary or remedial action by the University: loud or disruptive behavior, interference with the cleanliness of the residence halls, or drinking habits which are injurious to the health or education of an individual or those around him/her.

***Qatar Campus Only:*** Alcoholic beverages are not allowed in Qatar Foundation residence halls or any other Qatar Foundation facility and subject to disciplinary action by Qatar Foundation, the State of Qatar, and/or Texas A&M University at Qatar.

## 2. Legal Sanctions (Qatar Campus)

A student who violates any of these alcohol or drug laws may be reported to the appropriate law enforcement agency and will be subject to prosecution in accordance with the law which can lead to deportation from the country.

### **Qatar Alcohol Penalties**

The information herein is derived from [Law No. \(11\) of 2004 the Penal Code](#). Excerpts of the Penal Code are based on an un-official English translation of the Arabic version of the law. Please refer to the officially published version of the law for updates and amendments.

Article 1 of the Penal Code provides that a Muslim convicted of the crime of consuming alcohol shall be punished in accordance with the Islamic Sharia law).

#### **Article 270**

Anyone convicted of drinking any alcoholic beverage in a public place or opening a store or a house to deal with alcoholics shall be imprisoned for no more than six (6) months and pay a penalty of no more than three thousand Qatari Riyals (QR 3,000) or shall be subject to one of these penalties. Anyone convicted of being drunk on a main street or who disturbs others due to intoxication shall be subject to the same penalty.

#### **Article 271**

Anyone who is convicted of giving alcohol to a person under the age of 16 or incites them to drink alcohol shall be imprisoned for no more than three (3) years and pay a penalty of no more than ten thousand Qatari Riyals (QR 10,000) or shall be subject to one of these penalties.

#### **Article 272**

Anyone who is convicted of importing, exporting, making, extracting or producing alcohol or alcoholic beverages shall be imprisoned for no more than three (3) years and pay a penalty of no more than ten thousand Qatari Riyals (QR 10,000).

#### **Article 273**

Anyone who is convicted of selling or buying, delivering or receiving, transporting or possessing alcohol or alcoholic beverages, or dealing with alcohol in any way for the purpose of trading or promotion shall be imprisoned for no more than three (3) years and pay a penalty of no more than ten thousand Qatari Riyals (QR 10,000) or shall be subject to one of these penalties.

### **Qatar Narcotic Drug Penalties**

The information herein is derived from Law No. (9) of 1987 on the Control and Regulation of Narcotic Drugs and Dangerous Psychotropic Substances (NDDPS) (the "Drug Law"). Excerpts of the Drug Law are based on an un-official English translation of the Arabic version of the law. Please refer to the officially published version of the law for updates and amendments.

The regulation of NDDPS means the dangerous substances and psychotropic agents listed in the attached Schedules 1 and 2.

#### **Article 34**

Anyone who commits the following actions shall be punished with imprisonment of up to twenty (20) years and not less than ten (10) years together with a penalty of up to three hundred thousand Qatari Riyals (QR 300,000) and not less than one hundred thousand Qatari Riyals (QR 100,000).

1. imports, with the intention to traffic in, or exports NDDPS before obtaining the permission provided for in Article 3 of the Drug Law;
2. produces, extracts, separates or manufactures NDDPS with the intention of trafficking;
3. cultivates any one of the plants listed in Schedule 4 or exports or imports such plants; in any stage of their growth, including the seeds, with the intention of trafficking in, or traffics therein, in any form other than the situations authorized under the Drug Law.

Recidivists (previously convicted offenders) shall be punished with the death penalty or life imprisonment together with a fine of not more than five hundred thousand Qatari Riyals (QR 500,000) and not less than three hundred thousand Qatari Riyals (QR 300,000). In establishing recidivism, the court will take into account judgements issued in foreign courts carrying a conviction for a similar offense provided for in this law. The same penalty shall be applied to an offender who is a public servant or servant entrusted with combating NDDPS or supervising their circulation or possession.

### **Article 35**

Anyone who commits the following actions shall be punished with imprisonment of up to fifteen (15) years and not less than seven (7) years together with a fine of up to two hundred thousand Qatari Riyals (QR 200,000) and not less than one hundred thousand Qatari Riyals (QR 100,000).

1. possesses, acquires, purchases or sells NDDPS or one of the plants listed in Schedule 4, or who, delivers, receives, transports, administers, and exchanges the plants; or dispenses such substances in whatever capacity or intermediates in any such transaction, for commercial purposes, or traffics therein, in any form other than the situations authorized under the Drug Law;
2. provides, for consideration, NDDPS for illicit consumption, or facilitates the consumption in situations other than authorized under the Drug Law;
3. licensed to possess NDDPS to use for a specific purpose(s) and dispenses such substances for consideration, in any capacity, in any form whatsoever for purposes other than those specified;
4. manages, prepares or makes ready, for a consideration, a place for the illicit use of NDDPS.

If the offenses described in subparagraphs (b), (c) and (d) are committed without consideration, the penalty shall be imprisonment for a term of up to seven (7) years and not less than three (3) years and a fine of not more than one hundred thousand Qatari Riyals (QR 100,000) and not less than fifty thousand Qatari Riyals (QR 50,000).

The punishment for recidivists shall be imprisonment for a term of not more than twenty (20) years and not less than ten (10) years with a fine of not more than four hundred thousand Qatari Riyals (QR 400,000) and not less than two hundred thousand Qatari Riyals (QR 200,000). In establishing recidivism, the court will take into account judgements issued in foreign courts carrying a conviction for a similar offense provided for in the Drug Law.

The same penalty shall be applied where the offender has taken part in the commission of an offense covered by Article 35 of the Drug Law involving a minor under the age of eighteen (18) years of age, or where the person to whom the NDDPS was supplied was a minor under the age of eighteen (18) years of age, or where the offender was a public official or servant responsible for controlling NDDPS, or supervising the circulation or possession thereof.

### Article 37

Anyone who imports, possesses, acquires, purchases, receives, transports, produces, extracts, separates or manufactures NDDPS, or who cultivates, possesses or purchases on of the plants listed in Schedule 4, with the intention of illicit consumption or personal use, unless he is permitted to do so pursuant to the provisions of the Drug Law, shall be subject to imprisonment for a term of up to five (5) years and not less than two (2) years and a fine of not more than one hundred thousand Qatari Riyals (QR 100,000) and not less than fifty thousand Qatari Riyals (QR 50,000), unless it can be established that he was authorized to do so in accordance with the provisions of the Drug Law.

In lieu of imposing the preceding sentence, the court may order the commitment of the person, whose addiction to NDDPS has been established, to one of the sanctions established for this purpose, until such time as the Committee responsible for examining the cases of persons committed to the sanatorium, and is appointed by the Minister of Public Health, submits a report on his condition to the court. The court will then decide if he can be discharged or will remain under further confinement at the sanatorium. The length of stay in the sanatorium cannot be less than three (3) months nor more than one year. A person cannot be committed to a sanatorium if they have been committed to a sanatorium on two (2) previous occasions or when less than two (2) years have elapsed since the last treatment at the sanatorium.

## 3. Legal Sanctions (Main Campus)

A student who violates any of these alcohol or drug laws will be reported to the appropriate law enforcement agency and will be subject to prosecution in accordance with the law. Legal sanctions for violation of local, state and federal laws may include, but not limited to fines, probation, jail or prison sentences.

### 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](#)).

- punishable by a fine of up to \$500.00, and a permanent criminal conviction. After two convictions, repeat offenders can be charged with a *Class B Misdemeanor*, facing up to 180 days in jail and a \$2,000.00 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.

- **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](#)).

- Up to a *3<sup>rd</sup> Degree Felony* - Punishment includes imprisonment no less than 2 years and no more than 10 years and a fine of up to \$10,000.
- **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* - Punishment includes imprisonment no less than 2 years and no more than 10 years and a fine of up to \$10,000.
- **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* - Punishment includes imprisonment no less than 2 years and no more than 20 years and a fine of up to \$10,000.
- **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](#))
  - The 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 1<sup>st</sup> 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 marijuana 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 marijuana 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](#)).

### **Standard State Legal Charges & Penalties (Main Campus)**

#### **Felony**

Capital – Life without parole or death penalty  
 First Degree - \$10,000 and/or 5 to 99 years of state prison  
 Second Degree - \$10,000 and/or 2 to 20 years of state prison  
 Third Degree - \$10,000 and/or 2 to 10 years of state prison  
 State Jail Felony - \$10,000 and/or up to 2 years of state prison

Federal trafficking penalties for Schedules I, II, III, IV, and V (see Appendix 1 and 2)  
<https://www.dea.gov/drug-scheduling>

#### **Misdemeanor**

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

## **4. Health Risks Associated with the Use of Illicit Drugs and the Abuse of Alcohol (Main and Qatar Campuses)**

Alcohol abuse is a prime contributor to suicide, homicide, motor vehicle deaths, and other unintended deaths. Excessive alcohol consumption leads to more than 100,000 deaths annually in the United States. Alcohol abuse can lead to alcohol dependence, premature death through overdose, alcohol-related stroke, and complications involving the brain, heart, liver, and many other body organs.



Alcohol abuse also causes liver disease, gastritis, and anemia, as well as cancers of the esophagus and larynx.

The abuse of illicit drugs can result in a wide range of health problems. In general, illicit drug use can result in drug addiction, death by overdose, death from withdrawals, seizure, heart problems, infections (e.g., HIV/AIDS, hepatitis), liver disease, and chronic brain dysfunction.

Alcohol used in any amount by a pregnant woman can cause birth defects and permanent brain damage to the child. Drug use by a pregnant woman may cause addiction or health complications in her unborn child.

Alcohol abuse interferes with psychological functions, causes interpersonal difficulties, and is involved in most cases of child abuse. Substance abuse disrupts work, reduces motivation, causes legal and financial problems, and social and family problems. Other problems associated with alcohol and drug use include the following psychological dysfunctions: dependency, memory loss, hallucinations, paranoia, and psychosis.

### **Qatar Campus Information**

For information located at the Qatar campus related to health risks associated with drug abuse, call the Department of Student Affairs at +974.4423.0047.

### **Main Campus Information**

For information located at the main campus related to health risks associated with drug abuse, call the Office of Health Promotion at 979.845.0280.

For additional health risks associated with alcohol and drug abuse:

Department of Justice, *Drugs of Abuse*, <https://www.dea.gov/documents/2022/2022-12/2022-12-02/drugs-abuse-2022>

National Institute on Alcohol Abuse and Alcoholism, *Alcohol's Effect on the Body*, <https://www.niaaa.nih.gov/alcohol-health/alcohols-effects-body>

Centers for Disease Control and Prevention, *Fact Sheets - Alcohol Use and Your Health*, <https://www.cdc.gov/alcohol/fact-sheets/alcohol-use.htm>

National Institute on Drug Abuse at <https://www.drugabuse.gov/>

U.S. Department of Justice; Drug Enforcement Administration  
[https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20\\_0.pdf](https://www.dea.gov/sites/default/files/2020-04/Drugs%20of%20Abuse%202020-Web%20Version-508%20compliant-4-24-20_0.pdf)

## **5. Resources and Counseling Services (Main and Qatar Campuses)**

NOTE: In addition to the resources and counseling services identified below, all Texas A&M students, regardless of where they are located, have access to My Student Support Program (MySSP). MySSP offers immediate assistance through the following:

- Confidential, real-time virtual counseling via chat and phone
- Scheduled, short-termed counseling appointments via telehealth with a licensed counselor
- Connect with the same counselor over multiple session via telephone or video appointments
- Extensive on-demand content library
- Support in your language

For more information on MySSP, visit <https://caps.tamu.edu/?s=MySSP>

### **Qatar Campus Resources**

TAMUQ Student Affairs provides substance abuse assessments and referrals for students through Dr. Steve Wilson. Intervention and limited ongoing recovery support counseling is available. All contacts are confidential. For more information or to schedule an appointment, call +974.4423.0316 or email [stephen.wilson@qatar.tamu.edu](mailto:stephen.wilson@qatar.tamu.edu).

## **6. Disciplinary Sanctions (Main and Qatar Campuses)**

A student found guilty of noncompliance with the Texas A&M University Standards of Conduct surrounding alcohol and drug policies or the laws of the State of Texas has committed a violation of University Student Rules and is subject to sanctions commensurate with the offenses and any aggravating and mitigating circumstances.

Disciplinary action in cases involving drug related violations by students may result in suspension or expulsion from the University and/or referral for prosecution.

Violation of any state or federal law pertaining to controlled substances which occur off campus and are not associated with a University connected activity may result in disciplinary charges in situations in which the continued presence of the individual on campus is likely to interfere with the educational process and/or the orderly operation of the University.

University disciplinary proceedings will occur in accordance with the procedures outlined in the University Student Rules. Any disciplinary action imposed by the University may precede, and be in addition to, any penalty imposed by authorities off campus.

For a list of all Texas A&M University student rules visit <https://student-rules.tamu.edu/rule24/>.

### **Other Impacts of Drug and Alcohol Violations (Main Campus)**

Effective with the 2021-22 award year, having a drug conviction while receiving federal (Title IV) financial aid will no longer impact a student's federal financial aid eligibility. However, students who are receiving funds from certain state aid programs, such as the Toward Excellence, Access, and Success (TEXAS) Grant, must certify annually, prior to the disbursement of funds, that they have not been convicted of a felony or crime involving a controlled substance.

## 7. Appendix

### Appendix 1

#### FEDERAL TRAFFICKING PENALTIES

DRUG/SCHEDULE	QUANTITY	PENALTIES	QUANTITY	PENALTIES
Cocaine (Schedule II)	500–4999 grams mixture	<b>First Offense:</b> 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.	5 kgs or more mixture	<b>First Offense:</b> 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.
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	<b>Second Offense:</b> 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.	1 kg or more mixture	<b>Second Offense:</b> 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.  <b>2 or More Prior Offenses:</b> Life imprisonment. Fine of not more than \$20 million if an individual, \$75 million if not an individual.
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	<b>First Offense:</b> 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.  <b>Second Offense:</b> Not more than 30 yrs. If death or serious bodily injury, life imprisonment. Fine \$2 million if an individual, \$10 million if not an individual.		
Flunitrazepam (Schedule IV)	1 gram			
Other Schedule III drugs	Any amount	<b>First Offense:</b> Not more than 10 years. If death or serious injury, not more than 15 yrs. Fine not more than \$500,000 if an individual, \$2.5 million if not an individual.  <b>Second Offense:</b> 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			
Flunitrazepam (Schedule IV)	Other than 1 gram or more	<b>First Offense:</b> Not more than 5 yrs. Fine not more than \$250,000 if an individual, \$1 million if not an individual.  <b>Second Offense:</b> Not more than 10 yrs. Fine not more than \$500,000 if an individual, \$2 million if other than an individual.		
All Schedule V drugs	Any amount			

**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 \$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 million 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 \$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 million if an individual, \$75million 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 more 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 more 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 regard- less of weight) 1 to 49 marijuana plants;	Not more than 5 yrs. Fine not more than \$250,000, \$1 million if other than an individual.	Not more 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.