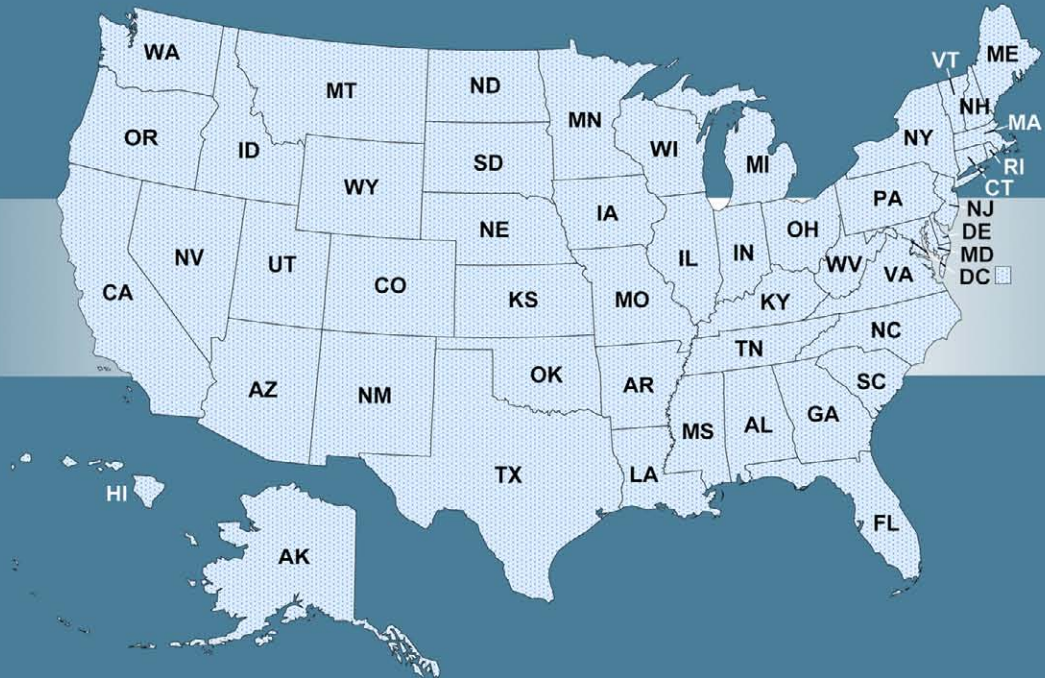


TEXAS STATE REPORT

Underage Drinking Prevention and Enforcement

2018



SAMHSA
Substance Abuse and Mental Health
Services Administration

This State Report is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on Preventing Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services.

Time period covered by this State Report: The 2018 State Report primarily includes data from calendar year 2017. The state legal data reflects the status of the law as of January 1, 2017. The state survey data was collected in 2017 and was drawn from the most recent 12-month period in which the states maintained the data.

**Staff Chair, Interagency Agency Coordinating Committee for the
Prevention of Underage Drinking (ICCPUD) Point of Contact:**

Robert M. Vincent, MS.Ed

Public Health Analyst

SAMHSA's Center for Substance Abuse Prevention

Division of Systems Development

Phone: (240) 276-1582

Email: Robert.Vincent@samhsa.hhs.gov

Texas Governor's Designated Contact for STOP Act State Survey:

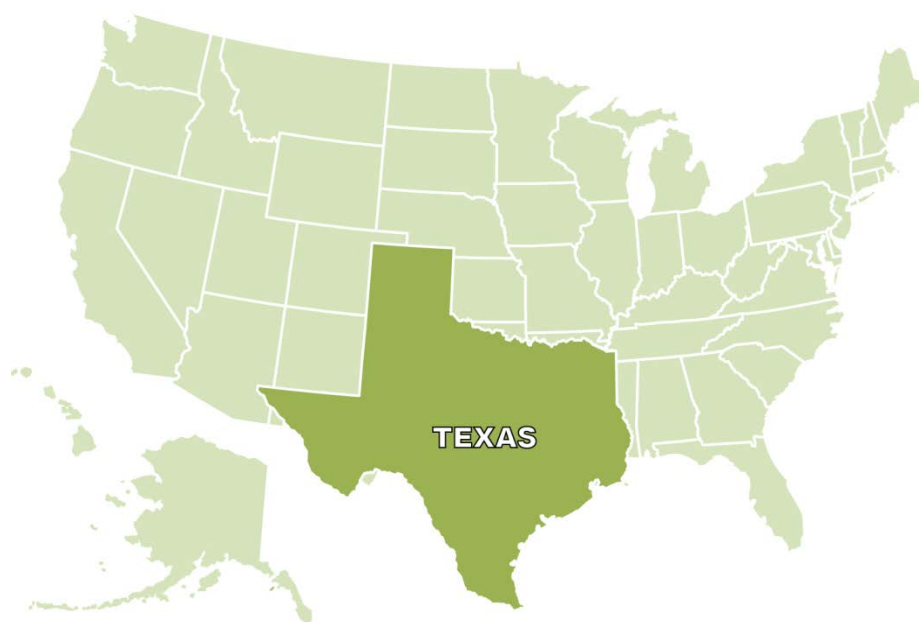
Robert Alvarado

Prevention Program Specialist

Texas Health and Human Services Commission

Phone: (512) 873-6609

Email: Robert.Alvarado@hhsc.state.tx.us



Texas

State Population: 27,862,596

Population Ages 12–20: 3,526,000

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
Ages 12–20*	
Past-Month Alcohol Use – Number (Percentage)	662,000 (18.8%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	36,000 (3.2%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	194,000 (16.0%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	432,000 (37.1%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	372
Years of Potential Life Lost (under 21)	22,574
Fatal Crashes Involving 15- to 20-Year-Old Driver with BAC > 0.01	
Number of Fatalities Involving 15- to 20-Year-Old Driver with BAC > 0.01	156
Percentage of All Fatal Crashes Involving 15- to 20-Year-Old Driver	33%

* Note that in previous years, the numbers and percentages for past-month binge drinking by age group were included in these profiles. These data are not included as a separate category this year. The definition of binge drinking used in the National Survey on Drug Use and Health (NSDUH) changed in 2015 and insufficient state-level data using the new criteria exist. As more years of consistent data become available, the state profiles will include past-month binge drinking as a separate sub-group of past-month alcohol use. For more information, see <https://www.samhsa.gov/data/sites/default/files/NSDUH-TrendBreak-2015.pdf>.

Laws Addressing Minors in Possession of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	Yes
<ul style="list-style-type: none"> Is possession allowed if parent or guardian is present or consents? Is possession allowed if spouse is present or consents? 	
Is there an exception based on location?	No
Note: In Texas, a minor may possess an alcoholic beverage if the minor is in the visible presence of his or her adult parent, guardian, or spouse.	

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	Yes
<ul style="list-style-type: none"> Is consumption allowed if the parent or guardian is present or consents? Is consumption allowed if the spouse is present or consents? 	
Is there an exception based on location?	No
Note: In Texas, a minor may consume an alcoholic beverage if in the visible presence of the minor's adult parent, guardian, or spouse.	

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	N/A
<ul style="list-style-type: none"> Is internal possession allowed if the parent or guardian is present or consents? Is internal possession allowed if the spouse is present or consents? 	
Is there an exception based on location?	N/A

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	Yes
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the	No

ID is ultimately deemed valid?	
Does an affirmative defense exist for the retailer?	Yes
• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No

Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)	
Is there a "use/lose" law that suspends or revokes a minor's driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	30
Maximum number of days	30

Graduated Driver's Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	30 (10 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	12 AM

Can law enforcement stop a driver for night driving violation as a primary offense?	No, officer must stop driver for another offense to cite for night driving violation
Are there restrictions on passengers?	Yes, no more than one nonfamily passenger under 21
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	No, officer must stop driver for another offense to cite for passenger restriction violation
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	18

Laws Targeting Alcohol Suppliers

Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	Yes
• Is furnishing allowed if the spouse supplies the alcohol?	Yes
Is there an exception based on location?	No
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No
Note: In Texas, a person may purchase an alcoholic beverage for or give an alcoholic beverage to a minor if he or she is the minor's adult parent, guardian, or spouse, or an adult in whose custody the minor has been committed by a court, and is visibly present when the minor possesses or consumes the alcoholic beverage.	

Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	No data
What is the minimum age a decoy may be to participate in a compliance check?	N/A
What is the maximum age a decoy may be to participate in a compliance check?	N/A
Are there appearance requirements for the decoy?	N/A
Does decoy carry ID during compliance check?	N/A
May decoy verbally exaggerate his or her actual age?	N/A
Is decoy training mandated, recommended, prohibited, or not specified?	N/A

Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No data
What is the time period for defining second, third and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A

Responsible Beverage Service (RBS)	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	Yes
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Unspecified
Does the RBS law apply to new or existing licensees?	Unspecified

Minimum Ages for Sellers of Alcohol—Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	21
Does a manager or supervisor have to be present?	No

Minimum Age for Alcohol Servers and Bartenders—On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

Dram Shop Liability	
Does a statute create dram shop liability?	Yes

Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (retailers may be held liable if they are 21 or over and furnish alcohol to a minor under 18)
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law dram shop liability exist?	Unclear
Note: Any retailer may be held liable for furnishing alcohol to individuals 18 or older who are obviously intoxicated to the extent that they present a clear danger to themselves or others at the time of furnishing. There is no common law liability when underage person is 18 or over. It is unclear whether there is common law liability when drinker is under 18. Licensees (but not their employees) are shielded from liability if the licensee requires all employees to attend Responsible Beverage Service training; the employee who furnished the minor attended the training; and the licensee did not directly or indirectly encourage the employee to violate the law.	

Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (social hosts may be held liable if they are 21 or over and furnish alcohol to a minor under 18)
Does the statute limit elements or standards of proof?	Yes (knowledge of underage status)
Does common law social host liability exist?	Unclear
Note: There is no common law liability when underage person is 18 or over. It is unclear whether there is common law liability when drinker is under 18.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine

Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes
Note: Package store permittees must have a cartage permit. Vehicles used to transport alcoholic beverages must be clearly marked.	

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

Laws Affecting Alcohol Pricing

Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.19
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	14.95%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.25%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	8.70%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 3.2–6% alcohol beer if applicable	\$0.20/gallon for alcohol content of more than 5%
Note: In Texas, holders of a wine and beer retailer's permit or a beer retail dealer's license are subject to the state sales tax rate of 6.25% rather than the ad valorem excise tax on-premises rates.	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.20
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	14.95%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.25%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	8.70%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 6–14% alcohol wine if applicable	
Note: In Texas, the holder of a wine and beer retailer's permit is subject to the State sales tax rate of 6.25% rather than the ad valorem excise tax on-premises rates.	

Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$2.40
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	14.95%
If retail tax rate applies, is there an exemption from general sales tax?	Yes
• General sales tax rate	6.25%
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	8.70%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15–50% alcohol spirits if applicable	

Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	Yes
Reduced price for a specified day or time (i.e., happy hours)	Restricted (permitted before 11 PM)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes

Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes, 25 days

Spirits	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set time period?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes, 25 days

Texas State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

The Texas Alcoholic Beverage Commission is responsible for enforcing prevention at licensed locations; local law enforcement agencies enforce minor in possession, furnishing (non-licensed/permitted), and social host laws.

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Texas Alcoholic Beverage Commission
Such laws are also enforced by local law enforcement agencies	Don't know

Enforcement Statistics

State collects data on the number of minors found in possession No

Number of minors found in possession ¹ by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable

State conducts underage compliance checks/decoy operations² to determine if alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities	Yes
Number of retail licensees in state ³	51,259
Number of licensees checked for compliance by state agencies (including random checks)	10,036
Number of licensees that failed state compliance checks	1,186
Numbers pertain to the 12 months ending	12/31/2016
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments

*State conducts **random** underage compliance checks/decoy operations* Yes

Number of licensees subject to random state compliance checks/decoy operations	Unknown
Number of licensees that failed random state compliance checks	Unknown

Local agencies conduct underage compliance checks/decoy operations to determine if alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Sanctions

State collects data on fines imposed on retail establishments that furnish minors Yes

Number of fines imposed by the state ⁴	479
Total amount in fines across all licensees	\$1,189,700

Smallest fine imposed	\$0 if full suspension served, \$600 with no suspension served
Largest fine imposed	\$14,400
Numbers pertain to the 12 months ending	12/31/2016
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of suspensions imposed by the state ⁵	221
Total days of suspensions across all licensees	1,886
Shortest period of suspension imposed (in days)	4
Longest period of suspension imposed (in days)	20
Numbers pertain to the 12 months ending	12/31/2016
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing minors</i>	Yes
Number of license revocations imposed ⁶	0
Numbers pertain to the 12 months ending	12/31/2016

Additional Clarification

State agency provided by TABC only. Other state agencies may conduct operations, but do not report to TABC.

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

San Antonio Council On Alcohol and Drug Abuse (SACADA)

Program serves specific or general population	Specific population
Number of youth served	Approximately 5,739 youth are served from Universal, Selective, and Indicated population programs
Number of parents served	1,029
Number of caregivers served	No data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	www.sacada.org

Program Description: The San Antonio Council on Alcohol and Drug Abuse (SACADA) is a nonprofit organization that provides education, youth prevention programs, information resources, and services to prevent alcohol and drug abuse. SACADA serves individuals in Bexar County and 28 surrounding counties in South Central Texas. SACADA is funded by HHSC to deliver youth prevention programs with Universal (YPU), Selective (YPS), and Indicated (YPI) populations, as well as a Community Coalition Partnership Program (CCP), and has a Prevention Resource Center (PRC). All of these programs have alcohol (underage drinking) as a priority.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

Program description: Texas and Texas HHSC currently fund 226 youth prevention programs around the state. These programs are all operated by various contractor/grantees around the state in the 11-HHS regions. In addition, there is a contract for the Statewide Media Campaign. As Texas has identified alcohol (underage drinking)

as one of the main prevention priorities, all of these programs identify underage drinking as a priority and deliver such services.

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

State collaborates with federally recognized tribal governments in the prevention of underage drinking Yes

Description of collaboration: The Texas Health and Human Services Commission currently funds a Youth Substance Abuse Prevention program with the Ysleta Del Sur Pueblo tribe. Through this contract, the Tribe provides a comprehensive prevention program that includes the six Center for Substance Abuse Prevention (CSAP) strategies that serve as best practices when addressing substance use and abuse. These six strategies include: prevention education (curriculum delivery), information dissemination, alternative activities, problem identification and referral, community-based processes, and environmental strategies. This program targets youth selected specifically for the program based on an increased risk of substance use and abuse. The core strategy—prevention education—is delivered through Positive Action, an evidence-based curriculum approved by the National Registry of Evidence-Based Programs and Practices (NREPP) to youth ages 6-18 in grades 1 through 12.

Additional collaboration is desired with both the Kickapoo Traditional Tribe of Texas and the Alabama Coushatta. HHSC is currently seeking to draft a Memorandum of Understanding with both of these tribal nations.

State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing No

Description of program: Not applicable

State has adopted or developed best practice standards for underage drinking prevention programs Yes

Agencies/organizations that established best practices standards:

Federal agency(ies): The Substance Abuse and Mental Health Services Administration Yes

Agency(ies) within your state: No

Nongovernmental agency(ies): No

Other: No

Best practice standards description: Substance abuse prevention programs used by our state offer a comprehensive approach that follows the six CSAP strategies outlined above. Programs focus a majority of effort on providing prevention education through evidence-based curricula, and also provide problem identification and referral services, information dissemination (targeted on alcohol, tobacco and other drugs), alternative activities, community-based processes, and environmental approaches. In addition, all of the prevention services delivered in Texas follow the Strategic Prevention Framework.

Additional Clarification

Texas has a Behavioral Health Strategic Plan that establishes three main priorities: alcohol (underage drinking), marijuana, and prescription drugs. In addition, education, information, activities, and presentations are also provided on tobacco and other behavioral health and substance use-related topics.

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

Committee contact information:

Name: LaJean Burnett

Email: lajean.burnett@hhsc.state.tx.us

Address: 8317 Cross Park Dr., Austin, TX 78754

Phone: 512-873-6189

Agencies/organizations represented on the committee:

Bay Area Council on Drugs and Alcohol
 Behavioral Health Solutions of South Texas
 Texas Department of State Health Services (DSHS)/ Family & Community Health Services
 DSHS/ Chronic Disease Prevention
 DSHS/ HIV and STD Prevention
 HHSC/ Behavioral Health Services Division
 DSHS/ Office of Title V & Family Health
 Harris County Public Health and Environmental Services
 San Antonio Council on Alcohol and Drug Abuse (SACADA)
 Texans Standing Tall
 Texas A&M Transportation Institute
 Texas Association Against Sexual Assault
 Texas Department of Family Protective Services
 Texas Department of Criminal Justice
 Texas Education Agency (TEA)
 Texas Overdose Naloxone Initiative (TONI)
 Texas State Student Health Center
 The Council on Alcohol and Drug Abuse
 University of Texas - Texas Institute for Excellence in Mental Health

A website or other public source exists to describe committee activities No

URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years Yes

Prepared by: The Texas HHSC established its Behavioral Health Strategic Plan in 2016 to carry programs from FY17 through FY21.

Plan can be accessed via: No data

State has prepared a report on preventing underage drinking in the last 3 years Not sure

Prepared by: Not applicable

Plan can be accessed via: Not applicable

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking*Compliance checks in retail outlets:*

Estimate of state funds expended No data

Estimate based on the 12 months ending No data

Checkpoints and saturation patrols:

Estimate of state funds expended No data

Estimate based on the 12 months ending No data

Community-based programs to prevent underage drinking:

Estimate of state funds expended \$6,341,656

Estimate based on the 12 months ending 08/31/2017

K–12 school-based programs to prevent underage drinking:

Estimate of state funds expended \$38,232,316

Estimate based on the 12 months ending 08/31/2017

Programs targeted to institutes of higher learning:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Programs that target youth in the juvenile justice system:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Programs that target youth in the child welfare system:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending

Data not available

Other programs:

Programs or strategies included: Data not available

Estimate of state funds expended:

Data not available

Estimate based on the 12 months ending:

Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes

No

Fines

No

Fees

No

Other: Not applicable

No

Description of funding streams and how they are used:

Not applicable

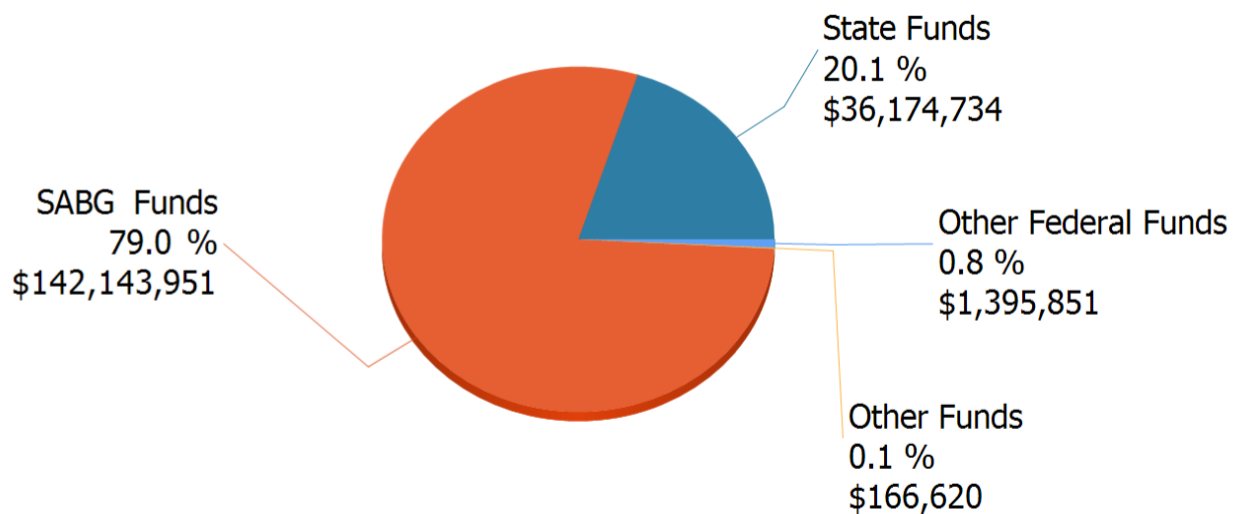
Additional Clarification

Texas' community-based programs (e.g., community coalitions) and school-based programs (e.g., youth prevention programs) may provide services focused on underage drinking to all areas of the community, including institutions of higher learning, youth in juvenile justice programs, and child welfare programs. Our community coalitions have a targeted age-range of college-aged youth/adults and spend resources to educate, mobilize, and affect change for that community. In addition, our youth prevention programs may conduct education programs utilizing an evidence-based curriculum in the juvenile justice system or with youth who are in welfare programs. It would be difficult, however, to determine the exact dollar amounts spent on those activities.

In addition to the state expenditures on underage drinking prevention reported in the annual STOP Act Survey, all states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds, administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Texas used for expenditures on substance abuse prevention and treatment in 2017. As indicated, SABG funds and state funds account for the largest sources (79.0 percent and 20.1 percent respectively).³³

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018-2019, Texas designated prevention of substance abuse among adolescents and college students as part of the number one priority for use of SABG funds.³⁴

Exhibit 1: Source of 2017 Expenditures for Substance Abuse Prevention and Treatment



³³ WebBGAS State Profile, 2017 SABG and MHBG Reports– Texas 2017

³⁴ FY 2018/2019 – (Texas) State Behavioral Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant, Center for Substance Abuse Prevention, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators



SAMHSA
Substance Abuse and Mental Health
Services Administration