

# STATE OF THE STATE

## Regarding Underage Drinking in Kansas

### KS Leadership to Keep Children Alcohol Free

A statewide committee working to educate the public about the impact of early alcohol use and to energize key policy and opinion leaders toward making the reduction of alcohol use by youth a state priority.

# Contents

Page 2.....	About the State of the State
Page 2-3.....	The Effects of Underage Drinking
Page 3.....	Underage Drinking in Kansas
Page 4.....	Economic Impact of Underage Drinking
Page 5.....	Current Kansas Policies to Reduce Youth Access
Page 6-7.....	Additional Policy Changes to Reduce Underage Drinking
Page 8.....	Other Effective Strategies
Page 9.....	References
Page 10.....	Committee Membership

## About the State of the State

This white paper was developed by the Kansas Leadership to Keep Children Alcohol Free, a statewide committee that is coordinated by Kansas Family Partnership, Inc. This resource is designed to inform communities and state leaders of the costs associated with underage drinking and about the impact it has on Kansas youth and communities. This document is based on current data and research and national reports including: the National Academy of Sciences Institute of Medicine, “Reducing Underage Drinking: A Collective Responsibility,” (2003), and “The Surgeon General’s Call to Action to Prevent and Reduce Underage Drinking 2007.” It also provides recommendations on how Kansas can reduce the costs associated with underage drinking.

This white paper is also available for downloading at:

<http://www.kansasfamily.com/getinvolved-ksleadership.cfm>

## The Effects of Underage Drinking

**Underage drinking is a leading contributor to death from injuries, which are the main cause of death for people under the age of 21.** Each year, approximately 5,000 young people under the age of 21 die as the result of underage drinking in the United States.<sup>1</sup> This includes about 1,900 deaths from motor vehicle crashes; 1,600 as a result of homicides; 300 from suicide, as well as hundreds of other injuries such as falls, burns, and drowning.<sup>1</sup> In Kansas, alcohol-impaired drivers under the age of 21 were involved in 556 crashes resulting in 18 deaths and 354 injuries during 2008.<sup>2</sup> While those under 21 constitute less than 10% of the Kansas driving population, this age group is involved in 16% of all alcohol-related crashes.<sup>2</sup>

**New research indicates that the brain is not fully developed until the mid-20’s. Introducing alcohol to the developing brain puts youth at greater risk for unintentional death, suicide, injury and risky sexual behavior.**<sup>3</sup> Underage drinking can interfere with school attendance, disrupt concentration, damage relationships with parents and peers, and potentially alter brain function and/or other aspects of development, ALL of which have consequences for future success in such areas as work, adult relationships, health, and overall well-being.<sup>4</sup>

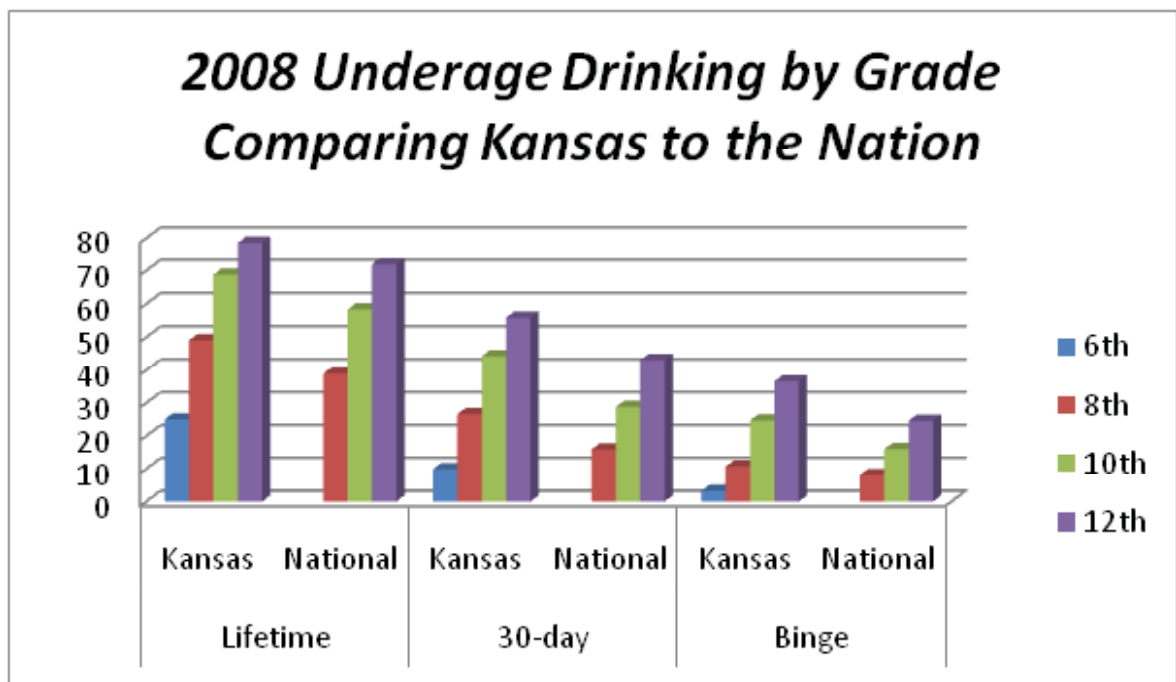
## Young people who begin drinking before the age of 15 are:

- Four times more likely to develop alcohol dependence than those who begin drinking at age 21;<sup>5</sup>
- Two-and-a half times more likely to become abusers of alcohol than those who begin drinking at age 21.<sup>6</sup>

# Underage Drinking in Kansas

Alcohol use rates among Kansas youth exceed the national average.<sup>7</sup> Kansas rates are<sup>8</sup>:

- 10% higher for 8th and 10th graders for lifetime alcohol use;
- 9% to 15% higher for alcohol use in the last 30-days by 6th, 8th, 10th and 12th graders;
- 2.6% to 12% higher for binge drinking for all age groups.<sup>7,8</sup>



**\*NOTE: National survey does not include 6th grade.**

Positive trends have been seen related to the availability of alcohol. There has been a downward trend since 1997 of students who report it is “very easy” to get some beer, wine or hard liquor. Access, however, increases with age with 29.2% of 10th graders and 42.4% of 12th graders reporting alcohol is easy to get.<sup>8</sup>

- Treatment Issues - Youth under the age of 21 accounted for 25% of all treatment admissions for alcohol abuse.<sup>9</sup>

# Economic Impact of Underage Drinking

Underage drinking cost the citizens of Kansas \$727 million in 2007. These costs include medical care, work loss, and pain and suffering associated with the multiple problems resulting from the use of alcohol by youth. Youth violence and traffic crashes attributable to alcohol use by underage youth in Kansas represent the largest costs for the state. However, a host of other problems contribute substantially to the overall cost. For example, fetal alcohol syndrome (FAS) among teen mothers alone costs Kansas \$12.1 million per year.<sup>10</sup>

Kansas spends only **0.27 percent of its budget on substance abuse and addiction prevention, treatment and research**<sup>12</sup> - but **spends 17.4%** of its total state budget **on the burdens of substance abuse and addiction**.<sup>13</sup>

For every \$100 Kansas government spends on substance abuse and addiction<sup>11</sup>:

- \$98.13 is spent on the burden of underage drinking to public programs;
- \$ 1.55 is spent on prevention, treatment and research;
- \$0.32 is spent on regulation and compliance.

<b>Costs of Underage Drinking by Problem, Kansas 2007 (Total Costs in Millions)</b>	
Youth Violence	\$458.0
Youth Traffic Crashes	\$117.8
High-Risk Sex, Ages 14-20	\$ 49.6
Youth Property Crime	\$ 31.2
Youth Injury	\$ 28.7
Youth Alcohol Treatment	\$ 25.8
FAS Among Mothers Age 15-20	\$ 12.1
Poisonings and Psychoses	\$ 4.1
<b>TOTAL</b>	<b>\$727.3</b>

## Kansas falls behind other states:

- Kansas **ranks 17th** among all states and the District of Columbia **on what it spends on the per capita burden** of substance abuse and addiction (\$432.05 per capita);<sup>13</sup>
- Kansas **ranks 31st** among all states and the District of Columbia in per capita spending on substance abuse prevention, treatment and research.<sup>12</sup>

**Treatment Costs** - In fiscal year 2009, 905 persons under the age of 21 received treatment for alcohol abuse. At an average cost of \$1,637 per client, including those that received only an assessment, the **treatment for underage drinking alone cost the state \$1,481,485**.<sup>9</sup>

# Current Kansas Policies to Reduce Youth Access to Alcohol

Kansas is among many states that have enacted strong policies designed to reduce youth access to alcohol.

Issue	Summary	Penalties
<b>K.S.A. 41-727</b> <b>Minor in Possession and/or Consumption</b>	<ul style="list-style-type: none"> <li>Unlawful for anyone under 21 to possess, consume, obtain, purchase or attempt to obtain or purchase alcoholic liquor or cereal malt beverages except as authorized by law.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum fine \$200</li> <li>Fine up to \$500</li> <li>Up to 1 month in county jail</li> <li>40 hours community service or attend alcohol class</li> <li>Driver's license suspended for minimum of 30 days and up to one year</li> </ul>
<b>K.S.A. 8-260 Section (a) (1)</b> <b>False or Altered I.D.</b>	<ul style="list-style-type: none"> <li>Unlawful to display or possess fictitious or altered driver's license/state I.D.</li> </ul>	<ul style="list-style-type: none"> <li>Fine up to \$1,000</li> <li>Up to 6 months in county jail</li> </ul>
<b>K.S.A. 8-260 Sections (a) (2) &amp; (3)</b> <b>Borrowed Identification</b>	<ul style="list-style-type: none"> <li>Unlawful to lend or allow another to use a driver's license/state I.D.</li> <li>Unlawful to display a driver's license/state I.D. belonging to another person.</li> </ul>	<ul style="list-style-type: none"> <li>Fine up to \$2,500</li> <li>Up to 1 year in county jail</li> </ul>
<b>K.S.A. 8-260 Section (a) (5)</b> <b>Fraudulently Apply for Driver's License or State I.D.</b>	<ul style="list-style-type: none"> <li>Unlawful to fraudulently apply for a driver's license or state I.D.</li> </ul>	<ul style="list-style-type: none"> <li>Felony – Severity Level 9</li> <li>Fine up to \$100,000</li> <li>Up to 17 months in prison</li> </ul>
<b>K.S.A. 8-260 Section (a) (7) &amp; (8)</b> <b>Reproductions of Identification</b>	<ul style="list-style-type: none"> <li>Unlawful to reproduce or to display/possess a reproduced driver's license/state I.D.</li> </ul>	<ul style="list-style-type: none"> <li>Fine up to \$2,500</li> <li>Up to 1 year in county jail</li> </ul>
<b>K.S.A. 8-260 Section (c)</b> <b>Fake, Altered, or Borrowed Identification Used by Person Under 21 to Purchase Alcohol</b>	<ul style="list-style-type: none"> <li>Unlawful to lend to or allow person under 21 to use driver's license to purchase liquor or purchase/consume beer.</li> <li>Unlawful for person under 21 to possess or display false or altered driver's license/state I.D. to purchase liquor or beer.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum fine \$200</li> <li>Fine up to \$2,500</li> <li>Up to one year in county jail</li> <li>Minimum of 100 hours of public service</li> </ul>
<b>K.S.A. 8-1567a</b> <b>Zero Tolerance</b>	<ul style="list-style-type: none"> <li>Unlawful for person under 21 years of age to operate or attempt to operate a motor vehicle with a breath or blood alcohol content of .02 or above.</li> </ul>	<ul style="list-style-type: none"> <li>Driving privileges suspended 30 days on first offense and 1 year for subsequent offense</li> </ul>
<b>K.S.A. 21-3610</b> <b>Furnishing Alcohol to Minors</b>	<ul style="list-style-type: none"> <li>Unlawful to directly or indirectly sell to, buy for, give or furnish any alcoholic liquor or beer to any minor.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum fine of \$200</li> <li>Fine up to \$1,000</li> <li>Up to 6 months in county jail</li> </ul>
<b>K.S.A. 21-3610c</b> <b>Hosting Minors</b>	<ul style="list-style-type: none"> <li>Unlawful to host minors consuming alcoholic liquor or cereal malt beverages at a person's residence, land, building or rented room.</li> </ul>	<ul style="list-style-type: none"> <li>Minimum fine of \$1,000</li> <li>Fine up to \$2,500</li> <li>Up to 1 year in county jail</li> </ul>
<b>K.S.A. 41-2905</b> <b>Keg Registration</b>	<ul style="list-style-type: none"> <li>Retailers required to affix a keg identification number and record the keg number, date of sale, purchaser's name and address and the number of the purchaser's driver's license.</li> <li>Unlawful to remove or destroy keg identification label/to possess key without I.D. label.</li> </ul>	<ul style="list-style-type: none"> <li>Suspension of retailers license</li> <li>Fine up to \$1,000</li> <li>Fine up to \$1,000</li> <li>Up to 6 mos. in county jail</li> </ul>

These statutes can be viewed online at <http://www.kslegislature.org>

# Additional Policy Changes That Will Reduce Underage Drinking

- **Increase Excise Taxes**
- **Tax Alcopops as Spirits**
- **Dedicate Funds for Prevention**

## **Increase Excise Taxes**

***Kansas should increase excise taxes on alcohol.*** In a 2003 groundbreaking report called “Reducing Underage Drinking: A Collective Responsibility,” the National Academy of Sciences Institute of Medicine (IOM) recommended raising excise taxes to reduce underage consumption and to raise additional revenues for prevention and treatment. The report recommends that **top priority** be given to **raising beer taxes**, and that **excise tax rates for all alcoholic beverages are indexed to the consumer price index** so that they keep pace with inflation without the necessity of further legislative action.<sup>14</sup>

Studies show that when states raise the tax on alcohol, underage drinking declines. Additional studies indicate that tax increases will result in fewer cases of alcohol dependence, deaths, rapes, aggravated assaults, robberies, incidents of severe violence against children, and cases of fetal alcohol syndrome each year.<sup>15</sup>

**Alcoholic beverages are far cheaper today than they were in the 1960’s and 1970’s** (after adjusting for overall inflation). There is strong and well-documented research that raising the price of alcohol impacts underage drinking in the following ways:

- Young adults are more responsive to price increases than adults.<sup>16</sup>
- Higher beer prices result in reduced youths’ decisions to drink.<sup>17</sup>
- Increased price reduced frequency and quantity of underage alcohol consumption.<sup>18</sup>

**Kansas has not raised the beer excise tax since 1977 and it has lost 72% of its value since that time.** If the tax had kept pace with inflation the excise tax on beer would be \$0.64 per gallon rather than the current tax of \$0.18 per gallon.<sup>17</sup>

The Marin Institute has developed a tax calculator that estimates the revenue that would be generated based on the amount of tax increase by drink, litre, gallon or 31 gallon barrel measurements.

If the beer tax was calculated at \$0.64 per gallon or \$0.46 more than the current rate of \$0.18, the increase in excise tax revenue would be<sup>17</sup>:

	<b>TOTAL</b>
Excise Tax Revenue Increase	\$27,000,000
Change in Sales Tax Revenue	\$ 767,000
<b>TOTAL</b>	<b>\$27,767,000</b>

If the per drink excise tax was raised \$0.10 for a glass of beer, wine or spirits, an estimated **\$97,381,400** in revenue would be generated.

	<b>Beer</b>	<b>Wine</b>	<b>Spirits</b>	<b>TOTAL</b>
Excise Tax Revenue Increase	\$61,400,000	\$6,230,000	\$27,700,000	\$95,330,000
Change in Sales Tax Revenue	\$ 1,720,000	\$ 92,400	\$ 239,000	\$ 2,051,400
<b>TOTAL</b>	<b>\$63,120,000</b>	<b>\$6,322,400</b>	<b>\$27,939,000</b>	<b>\$97,381,400</b>

### **Kansas falls behind other states in the amount it levies on alcohol.**

The national average excise tax for wine is \$.80 per gallon. The current Kansas tax is \$0.30.

- Thirty-six states have excise taxes for wine higher than Kansas.<sup>20</sup>

The national average excise tax for spirits is \$6.72 per gallon. The current Kansas tax is \$2.50.

- Forty states have excise taxes for spirits higher than Kansas.<sup>20</sup>

### **Tax Alcopops as Spirits**

**Alcopops should be taxed and sold as distilled spirits** (at much higher rates) because they do in fact contain spirits. Although the alcohol industry claims alcopops are “flavored beers,” the products don’t taste or look like beer. Unfortunately, in many states, alcopops are being sold as beer, making them cheap and more available than if the products were properly classified as distilled spirits.

### **Dedicate Funds for Prevention**

#### **Kansas should dedicate funding for substance abuse education and prevention.**

Investing in prevention will save the state money by avoiding the costs we currently pay for alcohol-related traffic injuries and fatalities, educational failure, sexually transmitted diseases, crime, domestic violence, and child abuse.

Currently **Kansas** has variable funding that is dedicated to treatment and rehabilitation that is based on sales, but **has no dedicated funding for education and prevention or enforcement and administration.**

Kansas could employ any one of the following methods to dedicate funding to prevention:

- Specify a percentage of the overall money collected; or
- A specific tax rate is applied to the sales of alcoholic beverages; or
- Allocate a fixed amount plus a percentage of money collect from sales.

**It is time to take a new approach. If we want to stop spending more money on the problems related to underage drinking, greater focus and funding must be directed at preventing the associated problems.**



# Other Effective Strategies

## **Underage drinking cannot be successfully addressed by focusing on youth alone.**

**Youth obtain alcohol** – either directly or indirectly – from adults. Therefore, **efforts to reduce underage drinking must focus on adults as well as youth, and must engage society as a whole**. Additional efforts on the part of schools, families, other adults and the community at large will be necessary to reduce the use of alcohol by youth.

**Schools** – Monitor substance abuse and risk and protective factors among students. Engage in school improvement efforts, and develop and enforce strict “no use” policies for all students. Participate in the Kansas Communities that Care Survey to obtain data that can be used for school improvement efforts.

**Parents – Educate yourselves and talk to your child about underage drinking** – The more parents talk with their youth about underage drinking, the less likely they will become harmfully involved.<sup>21</sup> Unfortunately, less than half of Kansas’s students (46.9%) report they have talked to their parents about alcohol, tobacco and other drugs in the past year.

**Adults** - Reduce access/Don’t provide alcohol to youth–Nearly 22.4% of Kansas students report alcohol is “very easy” to get.<sup>7</sup> Nationally, 65% of youth report that they get their alcohol from friends and family.<sup>22</sup> Get involved in a local coalition to reduce underage drinking, financially support local efforts and advocate for funding for effective substance abuse prevention programs, practices and policies.

**Government Funded Programs** – Screen for substance use disorders and offer effective interventions to every person entering a government funded health service, criminal justice or social welfare setting. Screening, brief interventions and referral to treatment (SBIRT) reduce the long-term costs of addiction and have shown reductions in hospitalizations.<sup>23</sup>

**Community Involvement** – Our words and our actions define what is acceptable and what is not acceptable to our youth. Educating all sectors of the community (business, community agencies, community coalitions, faith community, health agencies, law enforcement, media, parents, schools and youth) about the impact of underage drinking and building local support for effective programs, aggressive enforcement, and prosecution of underage drinking laws will reduce underage drinking and create healthier communities.

**Support Enforcement** - State and localities should implement enforcement programs to deter adults from purchasing alcohol for minors such as the routine shoulder tap or other prevention programs targeting adults who purchase alcohol for minors; as well as high visibility enforcement of laws against selling by retailers and furnishing or hosting by other adults.



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