

Drug-Free Zone Laws: An Overview of State Policies

Drug-free zone laws are among the most longstanding sentencing policies in America's War on Drugs. In 1970 – 12 years before President Ronald Reagan officially used the term "War on Drugs" – Congress passed an early version of a law increasing penalties for certain drug offenses committed near schools. In the 1980s, many state governments began to do the same. Today, all 50 states and the District of Columbia have adopted some form of drug-free school zone law.

The premise behind drug-free zone laws was that drug trafficking near schools posed a danger to children. In order to protect children from drug activity, lawmakers established protected zones around the places where children were most likely to be present, including schools and public parks. Individuals caught using or selling drugs within the protected zone faced substantially higher penalties than others who engaged in the same conduct outside the zone.

The application of drug-free school zone laws has proved problematic for several reasons:

- First, in the sentencing schemes of several states defendants may face two distinct penalties for a single offense.
- Second, the laws are frequently drafted so broadly that they result in enhanced penalties for drug offenses that are a substantial distance from a school, that do not involve school children in the offense, or take place outside of school hours. In Alabama, for example, a drug sale that takes place as much as three miles from a school, college, or public housing project is subject to a mandatory five-year prison term.
- Third, because protected areas are clustered within urban, high-density population areas, the zones disproportionately affect people of color and economically disadvantaged citizens.¹

In recent years, these problems have led at least seven states, including Connecticut, Delaware, Indiana, Kentucky, Massachusetts, New Jersey, and South Carolina, to reform their drug-free zone laws. This briefing paper provides an overview of these statutes nationally and an assessment of reform activity in recent years.

DRUG-FREE ZONES: DIVERSITY AMONG THE STATES

Drug-free school zone laws vary by jurisdiction, with the key distinctions being in these areas: zone size, locations covered, offenses covered, and penalties imposed (see Appendix for full description of each state's policies). Some states have also adopted restrictions on when and under what circumstances the enhanced penalties apply.

All 50 states and Washington, D.C. (see Appendix) apply some form of enhanced penalties to offenses involving manufacture, sale, distribution, or possession with intent to distribute drugs. In nine states—Alaska, Arkansas, Arizona, Connecticut, Indiana, Minnesota, New Mexico, Michigan and Oklahoma—defendants in drug-free zones can also face enhanced penalties even for simple drug possession that does not involve sale to school children. In Arkansas, for example, simple possession of two grams of methamphetamine is sufficient to

Table 1. Drug-Free Zone Sizes by State

< 1,000 ft.	1,000 ft.			> 1,000 ft.
Alaska	Alabama	Maine	Ohio	Alabama
Arizona ^a	Arkansas	Maryland	Oklahoma	Connecticut
Delaware	California	Michigan	Oregon	Louisiana
Hawaii	Colorado	Mississippi	Pennsylvania	Mississippi
Indiana	Connecticut	Missouri	South Carolina	Missouri
Massachusetts	Florida	Nebraska	South Dakota	Oklahoma
Minnesota	Georgia	Nevada	Tennessee	South Carolina
Rhode Island	Idaho	New Hampshire	Texas	
Vermont	Illinois	New Jersey	Utah	
Wyoming	Iowa	New Mexico	Virginia	
	Kansas	New York	Washington	
	Kentucky	North Carolina	Washington, D.C.	
	Louisiana	North Dakota	West Virginia	

^aArizona’s drug-free zones apply 300 feet from school property on private property and 1,000 feet from school property on public property.

trigger a ten-year sentence with no parole in addition to the sentence imposed for the underlying offense.

As seen in Table 1, 32 states and the District of Columbia establish a zone area that extends 1,000 feet in all directions from the property line of schools and other protected areas. Thus, in most states a drug sale that takes place at a distance of more than three football fields away from a school building can result in enhanced prison time. Ten states have drawn zones more tightly so as to avoid overreaching in their impact, while seven others have cast a much wider net of 1,500 feet or more.

Though the stated intent of drug-free zone laws was to protect schools, 31 states have extended the scope of their policies to areas beyond elementary and secondary schools and onboard school buses. For example, several states have enacted zones around public housing facilities, public parks, churches, and daycare centers. Others, including Missouri and West Virginia, include colleges and universities in their definition of “school.” Utah adds shopping malls, amusement parks, and the parking lots of such areas to the list of covered areas.

31 states have extended the scope of their policies to areas beyond elementary and secondary schools.

The most expansive law in terms of covered locations is that of Arkansas, which draws zones around schools, public parks, public housing facilities, day care centers, colleges and universities, recreation centers, skating rinks, Boys’ and Girls’ Clubs, substance abuse treatment facilities, and churches.

PENALTIES

Drug-free zone laws apply enhanced penalties in two different ways among the states. In thirty states, the law designates drug offenses within the protected zone as distinct crimes with their own penalties or penalty ranges. In Colorado, for example, sale of a controlled substance within a drug-free zone is a distinct criminal offense that carries an eight-year mandatory minimum sentence. In other states, the law prescribes enhanced penalties for underlying crimes when they occur within the protected zone. In Arizona, for instance, committing a covered offense within a drug-free zone increases the presumptive minimum and maximum penalties for the underlying offense by one year.

States also vary in the severity of the penalties drug offenders receive for violating drug-free school zone laws. In 13 states, violation of the law triggers a mandatory minimum sentence or sentence enhancement that ranges from one year in Virginia to eight years in Colorado. In Washington, DC, Rhode Island, and the state of Washington, the drug-free

zone violation doubles the maximum penalty for the underlying offense.

Kansas, Nebraska, and Tennessee elevate the felony class of the underlying drug offense when it is committed within a drug-free zone, thereby exposing the defendant to harsher penalties. Similarly, Delaware and Nevada treat violation of the drug-free zone as an aggravating factor in the sentencing proceeding for the underlying drug offense. Finally, some states allow juvenile defendants to be prosecuted for a drug-free zone offense in adult court and to be sentenced to an adult institution for violations of drug-free zone laws.

LIMITATIONS ON DRUG-FREE ZONES

A number of states have imposed various restrictions on their drug-free zone laws with the intention of narrowing their focus to more closely align with the original purpose of the law. Lawmakers have limited the application of the zone laws based on the nature of the transaction, the age of the defendant, the time of day, the presence of children, and whether the offense takes place on public or private property.

Seven states—Alaska, Georgia, Louisiana, Montana, New Jersey, Texas, and Washington—apply an exception to their drug-free zone laws if the offense occurs within a private residence so long as no children are present and the defendant did not profit from the offense. Virginia similarly applies its law only on public property. California, Nebraska, and West Virginia exempt juvenile defendants from enhanced penalties, as does New Mexico for possession offenses. Florida, Massachusetts, and Nevada impose some form of time restrictions on their laws so that they only apply when children are present.

New York and South Carolina require that defendants know they are in the zone when they commit the offense, while North Carolina and North Dakota exempt small quantities of marijuana from their zone laws. Indiana is unique in that it creates affirmative defenses to its zone law: defendants may avoid the enhanced penalties of the law if they were only briefly

in the zone while no minors were present or if they were in the zone solely because law enforcement officers stopped them there

DRUG-FREE ZONE LAWS: REFORMS

While courts have been reluctant to grant Constitutional challenges to drug-free zone laws, concerns over the laws have led a number of state legislatures to reform their drug-free zone policies. By 2005, lawmakers in Massachusetts, New Jersey, and Connecticut had commissioned studies to survey the impact and effectiveness of drug-free zone laws in their respective states, and identified problems regarding the scope of their respective zones and resulting racial disparities.² Several states have since enacted policy reforms including Massachusetts, New Jersey, Connecticut, and Indiana. Delaware, Kentucky and South Carolina also reformed their drug-free zone laws as part of larger drug law reform bills. But other states, including Arkansas, Hawaii, and Texas, have adopted harsher penalties by expanding locations to include public housing and playgrounds where selling drugs can trigger enhanced penalties.³

CONNECTICUT

Connecticut's harsh drug-free zone law was enacted in 1987. In 2001, Connecticut legislators changed state law to grant judges discretion in applying the school zone penalty in certain drug offenses based on "good cause."⁴ Yet the Connecticut statute imposing a three-year mandatory minimum sentence for committing a drug offense within 1,500 feet of a school, public housing complex, or daycare center remains in effect.

However, further reforms may soon be enacted. In the 2013 legislative session, Connecticut's Black and Puerto Rican Caucus sponsored a bill that would have reduced the size of the state's drug-free zones from 1,500 feet to 300 feet. The bill was debated in the Connecticut House of Representatives but Republican opponents succeeded in filibustering the bill and its time expired without a vote. As a result, the bill stalled and will not become law for 2013.

Nevertheless proponents of the bill have vowed to introduce it again in the next legislative session.

DELAWARE

Delaware's drug-free zone law was first adopted in 1989 and created 1,000-foot zones around schools and 300-foot zones around parks. Commission of a drug offense—including simple possession—within the zone constituted a distinct felony offense. In 2011, as part of a general effort to reduce excessive penalties for drug users and lower level sellers, the General Assembly passed and Governor Jack Markell signed a bill that substantially reformed the state's drug laws.

The 2011 law shrunk Delaware's drug-free zones from 1,000 feet to 300 feet. It also created three categories of drug offenses—simple possession, aggravated possession, and drug dealing—with the sentence for each offense depending on the type and quantity of drug involved and the presence or absence of aggravating circumstances. The law makes commission of the underlying offense within a drug-free zone an aggravating factor for the purposes of sentencing.

INDIANA

Indiana's original drug-free zone law, passed in 1987, raised the felony class of the underlying drug offense from Class B to Class A if the offense occurred within 1,000 feet of school property, a public park, a public housing complex, or a youth program center. Under state law, the penalties imposed for committing a Class A felony are substantially harsher than those imposed for a Class B felony: a Class A felony exposes a defendant to a sentence of 20 to 50 years in prison with an advisory sentence of 30 years, while a Class B felony exposes a defendant to a sentence of 6 to 20 years in prison with an advisory sentence of 10 years. In 2007, two bills were introduced—one in each house of the legislature—that would have expanded drug-free zones to churches and marked bus stops, respectively.

In response to the 2007 bills, Kelsey Kauffman, formerly of DePauw University, and her students began studying the impact and effectiveness of the state law. Their findings were similar to those in Massachusetts and Connecticut: drug-free zones blanketed large portions of inner city areas in Indianapolis and more than 75% of defendants who had their felony class raised under the drug-free zone statute were black.⁵ Professor Kauffman and her students presented their findings before the Indiana Senate Committee on Corrections, Criminal, and Civil Matters in 2007 and 2008 and again before the specially-convened Indiana Sentencing Policy Study Committee in October 2008. Their testimony contributed to the defeat of the bills in the legislature.

In a drug-free zone case in February 2012, the Indiana Supreme Court reduced the 20-year sentence of a Kokomo man convicted of possessing small amounts of marijuana and cocaine within a drug-free zone.⁶ Because the man would have faced a maximum prison sentence of only 18 months if his offense had occurred outside the zone, the court found that the 20-year sentence was grossly disproportionate to the severity of the crime. Furthermore, the court signaled that it would continue to reduce harsh sentences imposed under the drug-free zone law when it reduced a similar sentence in June 2012.⁷

In response, to address the concerns of the Indiana Supreme Court as well as the issues documented in the DePauw University study, the legislature passed and Governor Mike Pence signed a bill that substantially reformed the state's law. The bill reduced Indiana's zones from 1,000 feet to 500 feet and eliminated the zones around public housing complexes and youth program centers. It also added the requirement that a minor must be reasonably expected to be present when the underlying drug offense occurs. Lastly, the measure made violation of the drug-free zone law an "enhancing circumstance" of the underlying drug offense, the severity of which is dependent upon the type and quantity of the drug involved. Because the law also restructures Indiana's felony classification structure and penalties, a defendant sentenced under the revised law now faces a mandatory minimum penalty of one year rather than twenty years.

KENTUCKY

Lawmakers modified the state's drug free zone in 2011. The provision was included in a larger package of sentencing reforms that were adopted to address the state's growing prison population. State lawmakers shrunk the drug free zone from 1,000 yards to 1,000 feet. Anecdotal reports suggest that the original zone was a mistake given that most states impose a zone measured in feet rather than yards. The change in policy was adopted without opposition

MASSACHUSETTS

In 1989, the General Assembly of Massachusetts passed the state's first drug-free zone law, which imposed a 2-15-year mandatory minimum sentence for convictions of selling or distributing drugs within 1,000 feet of a school. A 1993 amendment drew a 100-foot zone around parks, and a 1998 amendment added a 1,000-foot zone around day care and Head Start facilities.⁸ Efforts to reform the law began in 2000, when Dorchester District Court Judge Sydney Hanlon noticed that a majority of drug-free zone defendants in her courtroom were black or Hispanic and requested that Northeastern University researchers conduct an analysis on the racial impact of the law. The researchers documented that 80% of the defendants who received enhanced sentences under the drug-free zone law were black or Hispanic—even though 45% of those arrested for drug violations statewide were white.

The next layer of drug-free zone research was conducted by William Brownsberger at the Boston University School of Public Health. In his analysis of 443 drug sale cases in Fall River, New Bedford, and Springfield, Massachusetts, Brownsberger found that school zones covered 29% of the three studied cities and 56% of high-poverty areas.⁹ These findings led Brownsberger to recommend that the Massachusetts zone be shrunk from 1,000 feet to 100-250 feet.

These findings were bolstered by a 2009 report issued by the Prison Policy Initiative (PPI). PPI's research, which focused on Hampden County in western Massachusetts, revealed that residents of

urban areas were five times as likely to live within a drug-free zone as residents of rural areas.¹⁰ The data further showed that more than half of black and Hispanic residents lived in drug-free zones while less than a third of white residents did so. PPI also found that the addition of Head Start facilities to the law in 1998 disproportionately impacted poor neighborhoods since such facilities service poor neighborhoods and are therefore more likely to be located there.

As a result of the issues surrounding the state's drug-free school zone law, legislators serving on Massachusetts's joint Judiciary Committee approved a bill that would have shrunk the size of the zones and limited the hours of their effectiveness, but it died on the floor of the General Assembly. In the summer of 2012, however, with the endorsement of Governor Deval Patrick, the General Assembly passed a bill that reduced the size of Massachusetts's zones from 1,000 feet to 300 feet and limited the hours of the zones' operation from 5 a.m.- midnight.

NEW JERSEY

New Jersey first enacted its drug-free zone law as part of sweeping drug legislation in 1987. The original law drew a 1,000-foot zone around schools; distributing, dispensing, or possessing with intent to distribute drugs within that zone was classified as a third-degree felony with a three-year mandatory minimum prison sentence. In 1998, New Jersey lawmakers added a 500-foot zone for drug sales around public housing complexes, parks, libraries, and museums. Violation of the 1998 law constituted a second-degree offense, for which a prison term is the presumptive sentence. Furthermore, New Jersey courts have interpreted the word "school" in the statute to be broad, including daycare centers, vocational training centers, and other educational facilities.

Advocacy organizations including the Drug Policy Alliance and Families Against Mandatory Minimums prioritized reform of the state's drug-free school zone laws. This was instrumental in the legislature's decision to convene the New Jersey Commission to Review Criminal Sentencing in 2004. The Commission found that that enforcement of the drug-

free-zone laws had a devastating impact on minority defendants because New Jersey's densely populated urban areas were transformed into massive "drug-free" zones. Nearly every defendant (96%) convicted and incarcerated for a drug-free zone offense in New Jersey was either black or Latino.¹¹ The Commission recommended that the legislature shrink the size of the zones from 1,000 to 200 feet and eliminate the mandatory minimum sentence for school zone violations.

The commission's bill passed in committee in 2005 but stalled in the legislature later that year. Five years later, Governor Jon Corzine signed into law a bill that did not alter the 1,000-foot zone size, but eliminated the mandatory minimum prison sentence for school zone offenses and enhanced judicial discretion in such cases.

SOUTH CAROLINA

South Carolina maintains an expansive zone of more than 2,600 feet, or a half mile, around restricted areas. However, lawmakers modified the triggers for penalty enhancements in restricted areas when a

comprehensive package of sentencing reforms that garnered bipartisan support was adopted in 2010. The modification requires that anyone arrested for a drug offense in an enhancement zone must have knowledge that he or she was in a restricted area with the intent of selling.

CONCLUSION

Drug-free zone laws were initially promoted as an attempt to keep dangerous drug activity away from children. In practice, drug-free zone laws have created a number of serious issues within the criminal justice system, by frequently imposing excessive penalties and by subjecting urban poor and minority populations to harsher penalties than others for similar drug offenses. Spurred by more than a decade of research, a number of states are taking measures to reform their drug-free zone laws to alleviate the burdens they impose on poor people and people of color with no benefit to public safety. These states should serve as a model for other jurisdictions as the movement for fairer, more effective drug laws continues to build momentum in the United States.

ENDNOTES

- 1 Greene, J., Pranis, K., and Ziedenberg, J. (2006). *Disparity by Design: How drug-free zone laws impact racial disparity – and fail to protect youth*. Justice Policy Institute. Available at http://www.justicepolicy.org/uploads/justicepolicy/documents/06-03_rep_disparitybydesign_dp-jj-rd.pdf.
- 2 Ibid.
- 3 Lawrence, A. (2013). "Trends in Sentencing and Corrections: State Corrections." National Conference of State Legislatures. Available at <http://www.ncsl.org/Documents/CJ/TrendsInSentencingAndCorrections.pdf>.
- 4 Legislative Program Review & Investigations Committee. (2005). "Mandatory Minimums Report." Available at https://www.cga.ct.gov/2005/pridata/Studies/Mandatory_Minimum_Sentences_Final_Report.htm.
- 5 Kauffman, K., et al. (2008). Testimony before the Sentencing Policy Study Committee. Available at [http://dpwadweb.depauw.edu/\\$1~kkauffman/newdrugzonelaws/Testimony.html](http://dpwadweb.depauw.edu/$1~kkauffman/newdrugzonelaws/Testimony.html).
- 6 *Abbot v. State*, 961 N.E.2d 1016 (Ind. 2012).
- 7 *Walker v. State*, 968 N.E.2d 1292 (Ind. 2012) (per curiam).
- 8 Prison Policy Initiative. (2009). *The Geography of Punishment: How Huge Sentencing Enhancement Zones Harm Communities & Fail to Protect Small Children*. Available at <http://www.prisonpolicy.org/zones/>.
- 9 Brownsberger, W. (2001). *An Empirical Study of the School Zone Law in Three Cities in Massachusetts*.
- 10 Prison Policy Initiative. (2009). *The Geography of Punishment: How Huge Sentencing Enhancement Zones Harm Communities & Fail to Protect Small Children*. Available at <http://www.prisonpolicy.org/zones/>.
- 11 Staff. (2007). "Supplemental Report on New Jersey's Drug Free Zone Crimes & Proposal for Reform." The New Jersey Commission to Review Criminal Sentencing. Available at <http://sentencing.nj.gov/downloads/supplemental%20schoolzonereport.pdf>.

Appendix. Drug-Free School Zone Laws by State

State	Statute	Zone Size	Covered Locations	Covered Offenses	Penalties	Limitations
Alabama	Code of Ala. § 13A-12-250	15,460 ft.	Schools (includes colleges), public housing projects	Sale	5-year mand min, no parole	N/A
Alaska	AK Stat. § 11.71.040-41	500 ft.	Schools, school buses, youth and recreation centers	Possession w/ recklessness (either 3rd or 4th degree felony)	Class C or Class B felony	Private residence + personal
Arizona	A.R.S. § 13-3411	300 ft. (private property); 1,000 ft. (public property)	Schools	Sale, possession, manufacture	Increases presumptive min and max by 1 year	N/A
Arkansas	A.C.A. § 5-64-411	1,000 ft.	Public parks, schools (includes colleges and universities), school bus stops, skating rinks, YMCAs, community centers, public housing complexes, substance abuse treatment facilities, day care centers, churches	Possession, delivery, manufacture, sale	10-year additional sentence (concurrent or consecutive), no parole	N/A
California	Ann. Cal. Health & Safety Code § 11353.6	1,000 ft.	Schools	Possession w/ intent, delivery, sale, manufacture	3-5 years discretionary	Defendant > 18 years old; school hours only; only applies to places children expected to be
Colorado	C.R.S.A § 18-1.3-407	1,000 ft.	Schools, school buses	Possession w/ intent, delivery, sale, manufacture	8-year mandatory min	N/A
Connecticut	C.G.S.A. § 21a-278a	1,500 ft.	Schools, public housing complexes, day care centers	Possession w/ intent, delivery, sale, manufacture	3-year mand min additional (consec)	N/A
Delaware	16 Del.C. § 4701	300 ft.	Schools, parks, churches, rec. areas	Possession w/ intent, delivery, sale, manufacture	Aggravating Factor (Min. Class D Felony)	N/A
District of Columbia	DC ST § 48-904.07a	1,000 ft.	Schools (including universities), day care centers, public swimming pools, playgrounds, arcades, youth centers, public housing complexes	Distribution, possession w/ intent to distribute	Up to 2x fine Up to 2x maximum sentence	N/A
Florida	F.S.A. § 893.13	1,000 ft.	Schools (including universities), day care centers, churches, public housing complexes, parks	Possession w/ intent, delivery, sale, manufacture	3-year man min	Effective only 6am-midnight (schools only)
Georgia	Ga. Code Ann. § 16-13-32.4	1,000 ft.	Schools, parks, playgrounds, recreation centers, public housing complexes	Possession w/ intent, delivery, sale, manufacture	Up to 20 years + \$20,000 fine (consecutive)	Private residence + personal + no child < 17 present
Hawaii	HRS § 712-1249.6	750 ft.	Schools, school buses, parks, public housing complexes	Possession w/ intent, delivery, sale	Class C or Class D felony	N/A

State	Statute	Zone Size	Covered Locations	Covered Offenses	Penalties	Limitations
Idaho	I.C. § 37-2739B	1,000 ft.	Schools	Possession w/ intent, delivery, sale, manufacture	5-year mand min to life	N/A
Illinois	720 ILCS 570/407	1,000 ft.	Schools, school buses, public housing complexes, public parks, churches, nursing homes	Possession w/ intent, delivery, sale, manufacture	Class X Felony	N/A
Indiana	IC 35-48-4-16	500 ft.	Schools, parks	Possession, delivery	Level 4 Felony	Defenses: 1) Briefly in zone while minor was present; 2) No minor present; 3) Law officer requested or stopped in zone
Iowa	I.C.A. § 124.401A	1,000 ft.	Schools	Possession w/ intent, delivery, sale, manufacture	Up to 5 year enhancement	Defendant > 18 years old
Kansas	K.S.A. 21-5705	1,000 ft.	Schools	Possession w/ intent, sale	+1 Felony Level	N/A
Kentucky	KRS § 218A.1411	1,000 ft.	Schools	Trafficking	Class D Felony	N/A
Louisiana	LSA-R.S. 40:981.3	2,000 ft.	Schools (including universities), drug treatment facilities, religious facilities, public housing complexes, day care centers	Possession w/ intent, sale	Maximum fine + up to 1.5 times maximum sentence	Private residence + no child < 18 present
Maine	17-A M.R.S.A § 1105-A	1,000 ft.	Schools, school buses	Trafficking	Varies based on drug	N/A
Maryland	M.D. Code, Criminal Law, § 5-627	1,000 ft.	Schools, school buses	Possession w/ intent, delivery, sale, manufacture	Up to 20 years (1st offense); 5-year mand min (2nd+)	N/A
Massachusetts	M.G.L.A. 94C § 32J	300 ft.	Schools, preschools; parks (100 ft.)	Possession w/ intent, delivery, sale, manufacture	2-15 years	5am-midnight only
Michigan	M.C.L.A. 333.7410	1,000 ft.	Schools, libraries	Possession w/ intent, delivery, sale, manufacture	2-year minimum (judge may modify)	N/A
Minnesota	M.S.A. § 152.01	300 ft.	Schools, parks, public housing complexes	Possession, delivery, manufacture, sale	Sentence degree enhancement	N/A
Mississippi	Miss. Code Ann. §41-29-142	1,500 ft. from building; 1,000 ft. from property line	Schools, churches, public parks, ballparks, public gyms, youth centers, movie theaters	Possession w/ intent, delivery, sale, manufacture	3 year mand min to life	N/A
Missouri	V.A.M.S. 195.214	2,000 ft.	Schools (including universities), school buses	Distribution, sale	Class A Felony	N/A
Montana	MCA 45-9-109	1,000 ft.	Schools	Distribution, sale	3 year mand min to life	Private residence + no child < 18 present

State	Statute	Zone Size	Covered Locations	Covered Offenses	Penalties	Limitations
Nebraska	Neb.Rev.St. § 28.416	1,000 ft.	Schools, playgrounds, colleges (1,000 ft.); youth centers, video arcades, public pools (100 ft.)	Possession w/ intent, delivery, sale, manufacture	+1 Felony Level	Defendant > 18 years old
Nevada	N.R.S. 453.3345	1,000 ft.	Schools, campuses, school bus stops playgrounds, parks, pools, video centers, arcades	Manufacture, delivery, sale	Aggravating Factor	Within 1 hour of school hours (school bus stop only)
New Hampshire	N.H. Rev. Stat. §193-B:1	1,000 ft.	Schools, school buses	Possession w/ intent, delivery, sale, manufacture	1 year mand min + 2x maximum penalty for underlying offense	N/A
New Jersey	N.J.S.A. 2C:35-7	1,000 ft.	Schools, school buses	Possession w/ intent, delivery, sale	3 year mand min, no parole	Judge may adjust parole ineligibility based on mitigating factors; private residence + no child < 18 present + not for profit
New Mexico	N. M. S. A. 1978, § 30-31-2(Y)	1,000 ft.	Schools	Possession, delivery, manufacture, sale	First-class Felony	Possession limited to defendants > 18 years old
New York	McKinney's Penal Law § 220.44	1,000 ft.	Schools, day care centers	Trafficking	Class B Felony	Limited to areas "accessible" to public; some drugs require knowledge of zone
North Carolina	N.C.G.S.A. § 90-95	1,000 ft.	Schools, child care centers, parks	Possession w/ intent, delivery, sale, manufacture	Class E Felony	< 5 g marijuana excepted
North Dakota	NDCC, 19-03.1-23(3)(a)	1,000 ft.	Schools	Possession w/ intent, delivery, sale, manufacture	8-year sentence; If defendant > 21, 8-year mand min	Marijuana excepted
Ohio	R.C. § 2925.01(P)	1,000 ft.	Schools	Sale	Min. 4th Degree Felony	N/A
Oklahoma	63 Okl. St. Ann. § 2-401(F)	2,000 ft.	Schools (including universities), parks, public housing complexes, child care centers	Possession w/ intent, delivery, sale	2x max sentence	N/A
Oregon	O.R.S. § 475.904	1,000 ft.	Schools	Delivery, manufacture	Class A Felony	N/A
Pennsylvania	18 Pa.C.S.A. § 6317	1,000 ft.	Schools, parks, playgrounds; school buses (250 ft)	Possession w/ intent, delivery, sale	2-year mand min	N/A
Rhode Island	Gen.Laws 1956, § 21-28-4.07.1	900 ft.	Schools, parks, playgrounds	Distribution, manufacture	2x max sentence 2x max fine	N/A

State	Statute	Zone Size	Covered Locations	Covered Offenses	Penalties	Limitations
South Carolina	Code 1976 § 44-53-445	2,640 ft.	Schools (including universities), parks, playgrounds	Possession w/ intent, delivery, sale, manufacture	Up to 10-year sentence	Defendant must know of zone; police cannot stop within zone
South Dakota	SDCL § 22-42-19	1,000 ft.	Schools, youth centers, public swimming pools; video arcades (500 ft.)	Possession, delivery, manufacture, sale	Class 4 Felony = 5 year mand min	Judge may adjust sentence
Tennessee	T. C. A. § 39-17-432	1,000 ft.	Schools, child care centers, libraries, rec. centers, parks	Possession w/ intent, delivery, sale, manufacture	+1 Felony Level	N/A
Texas	V.T.C.A., Health & Safety Code § 481.134	1,000 ft.	Schools (including universities), playgrounds, video arcades, youth centers,; public swimming pools (300 ft.)	Possession, delivery, manufacture, sale	+5 year max sentence	Possession excepted if inside private residence + no child < 18 present
Utah	U.C.A. 1953 § 58-37-8(4)	1,000 ft.	Schools (including universities), child care centers, parks, arcades, rec. centers, amusement parks, churches, shopping malls, sports facilities, movie theaters, playhouses, parking lots, libraries	Possession w/ intent, delivery, sale, manufacture	First Degree Felony	N/A
Vermont	18 V.S.A. § 4237	500 ft.	Schools, school buses	Distribution, sale	Up to 10-year sentence	N/A
Virginia	18 V.S.A. § 4237	1,000 ft.	Schools, school buses, school bus stops, day care centers, mental health facilities	Possession w/ intent, delivery, sale, manufacture	1-5 years mand min	Public property only; school bus stop limited to when children are present
Washington	West's RCWA 69.50.435	1,000 ft.	Schools, school buses, school bus stops	Possession w/ intent, delivery, sale, manufacture	2x max sentence	Private residence + no child < 18 present + not for profit
West Virginia	W. Va. Code, § 60A-4-406	1,000 ft.	Schools (including universities)	Distribution, sale	No probation for 3 years	Defendant > 18 years old
Wyoming	W.S.1977 § 35-7-1036	500 ft.	Schools, school buses	Possession w/ intent, delivery, sale, manufacture	2-year mand min	Penalties less for minors and for possession