

What is Social Host Liability?



M.G.L. c. 138 s34 Selling or Furnishing Alcoholic Beverages to a Person Under 21

was amended to include the following important points to home owners:

Furnish: Knowingly supply, give, provide or allow a person under 21 to possess alcoholic beverage on a premises or property owned by the person in charge.

Social Host: Anyone who invites others to his/her home or property for a social gathering and to the extent that alcohol is served and is done with no motive for monetary gain.

Areas of Concern: A home owner does not actually give permission or furnish alcoholic beverages to minors. The minors bring the alcoholic beverage to the home or social gathering and consume them there. Oftentimes, the host turns a "blind-eye" to the underage drinking.

Penalties: Fine of up to \$2,000, imprisonment for up to a year or both. Financial support of civil damages can also be awarded.

As prom and graduation season quickly approach, many parents plan on hosting post-prom and graduation parties at their homes. Many well-meaning parents offer these locations as a safe alternative for students to stay out after hours and enjoy the evening with friends. Unfortunately, oftentimes alcohol is also present. Some families, however, do not consider their liability when it comes to the social host law enacted by the Massachusetts legislature. Obviously, no one wants to see a student injured due to alcohol, nor does anyone want to be the subject of a criminal trial or civil proceeding. Please review this information regarding Social Host Liability and consider your role as a parent. Now is a good time to review your family rules and consequences and explain your expectations.

Frequently Asked Questions

Can, I avoid Social Host Liability if I rent my child a room? No, the law still applies.

Does the law apply if I am not home when minors consume the alcohol? Yes, it applies.

Will my homeowner's policy cover the costs of litigation and any judgment against me or my child? Unlikely. If you are charged criminally, your policy will not apply. If it does apply, limits of your policy will likely be too small to cover the legal fees and substantial awarded damages.

What should I do if one of my child's underage friends brings alcohol into my home and starts drinking? Call the child's

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