

It's the Law

The law in Massachusetts is clear:

Whoever **furnishes*** alcohol to a person under 21 years of age shall be punished by:



Fine up to
\$2,000

OR



Imprisonment
for up to a year

OR BOTH

* "FURNISH" shall mean to knowingly or intentionally Supply, Give, Provide to, or Allow to possess alcoholic beverages on premises or property owned or controlled by the person charged.
M.G.L. c. 138, s. 34

Questions & Answers About the Social Host Law

A SOCIAL HOST is anyone (adult or minor) who is in control of the premises and who furnishes alcohol or allows it to be consumed on those premises.

Am I breaking the law if I allow my child's underage guests to consume alcohol in my home?

Yes. The legal drinking age in Massachusetts is 21. It is against the law to serve or provide alcohol to underage guests or to allow them to drink alcohol in your home or on other property you control. If you do, you may be prosecuted criminally. The penalty is a fine of up to \$2,000, imprisonment for up to a year, or both.
M.G.L. c. 138, s. 34

Can I be sued if my child or an underage guest at my home drinks alcohol and injures someone?

Yes. You may be financially responsible if your child or underage guest injures another person (or himself) after having consumed alcohol, if you controlled the supply of the alcohol, made it available, or served it. Civil judgments can be for millions of dollars.

What if my child allows underage guests to drink or possess alcohol at my home or other property I control, without my knowledge?

You or your child may be charged criminally. For you to be found guilty under the Social Host Law, the Commonwealth must prove that you or your child knowingly or intentionally supplied, gave, provided, or allowed minors to possess alcohol at your home or other property you controlled. You or your child may also be sued civilly.

Does the Social Host Law apply if I rent a hotel room for my child's party?

Yes, since you control the hotel room, the Social Host Law applies. M.G.L. c. 138, s. 34

Will my homeowner's policy cover the costs of litigation and any judgment against me or my child?

You may or may not be covered, especially if the underage drinker causes injury or death by use of an automobile. Many insurance policies do not cover situations where criminal conduct is involved.

Alcohol and Your Child's Future

A criminal or juvenile record can prevent a person from getting a job or joining the military. Making bad decisions about alcohol can jeopardize involvement in school activities, sports or clubs, college admissions, and financial aid.

Alcohol and the Brain

The brain does not fully develop until a person is over the age of 20.

Drinking alcohol during adolescence damages parts of the brain responsible for:

- > Decision-making
- > Self-control
- > Memory and learning