

# Tip Sheet: What to Know About the Social Host Liability Law

## What is the Social Host Liability Law?

- A "**social host**" is someone – an adult or minor – who controls a property and provides guests under 21 with alcohol or who permits them to drink on their property.
- The Massachusetts Social Host Liability Law states that as an adult, you can be punished with a fine of up to \$2,000, imprisonment for up to a year, or both, if you:
  - Serve or provide alcohol to someone below the legal drinking age of 21.
  - Allow someone below the legal drinking age to drink or possess alcohol in your home or on your property.
  - In addition to facing fines and imprisonment, social hosts can be sued for injuries, accidents, or assaults that happen if their teen or underage guest has been consuming alcohol on their property.
  - It is not just adults who may face punishment for providing underage guests with alcohol. Your teen may also be charged criminally or sued civilly.

## If you become aware that your teen is planning to throw a party where alcohol is involved, put a stop to it and talk with your child.

- It is important that you take steps to prevent the party from taking place. If necessary, this can include calling the parents of the friends your child intended to invite.
- Talk with your child about your concerns about their intention to throw a party with alcohol on your property. Take this opportunity to explain the Social Host Liability Law to them so that they can understand the impact their decision may have on you as their parent, as well as on themselves.
- Encourage and help your teen to come up with safer alternative plans with their friends that do not include alcohol.
- If you feel your teen is likely to throw a party in your home while you are away, ask a family member to stay in your home with them. If you do not have family available, make arrangements for your teen to stay with a friend whose parents you trust.

## If you suspect that your teen or their friends are drinking in your home, share your concerns with them.

- This is another opportunity to talk with your teen about the implications of the Social Host Liability Law. Explain to them that you are *liable* for what happens in your home, especially if one of their friends gets hurt while drinking alcohol.
- Check in with your teen regularly while they are gathering at your house with their friends.
- If possible, lock up the alcohol that is in your home.
- If you would like to learn more about how to talk with your teen about substance misuse, see our other tip sheet: [Teen Alcohol and Other Drug Use](#).

**Resources:** Massachusetts Substance Use Helpline ([helplinema.org](http://helplinema.org), 1-800-327-5050), SAMHSA (1-800-662-HELP), Parents: Facts on Teen Drug Abuse (NIH)

**Main References:** B-PEN's House Party and Social Host Liability Tip Sheet, Working to Keep Teens Safe Over the Holidays (Belmontonian), Social Host Law Infographic (Mass.gov)

# Social Host Liability FAQ

## 1.) Does the Social Host Liability Law apply to teens, or just to their parents?

The social host liability law applies to whoever it is that provides alcohol to people under 21 or allows them to consume alcohol on their property. This includes teens as well, not just their parents. This means that teens may be charged criminally for allowing other people below the legal drinking age to drink in their home.

## 2.) If a teen hosts a party while their parents are out of town, can the parents still be held liable?

Yes. Parents may be charged criminally or held liable civilly *if they have reason to believe that people below the age of 21 will be drinking in their home*, even if they are not there.

## 3.) Am I liable under the social host law if I don't give my teen's friends alcohol, but I know they brought their own to my house and I do not take it away?

Yes. In Massachusetts, the social host law extends to allowing people under the legal drinking age to consume alcohol in your home or another property you control. It is against the law to allow underage guests to drink even if you do not provide it to them.

## 4.) Can I serve alcohol to college age child and their friends if I receive permission from their friends' parents?

No, it is against the law to serve alcohol to underage guests in your home. You could be held liable for the actions of underage guests who drink alcohol in your home. Parents who give their underage children permission to drink alcohol may also be held liable.

## 5.) If an underage guest I gave alcohol to or allowed to drink alcohol in my home injures someone, will I be sued or held liable?

Yes. You and the underage guest who injured someone can both be sued and found liable. You may have to pay the full amount of the judgement, as the underage guest may be less likely to pay the amount. Judgements in social host cases may be upwards of millions of dollars.

## 6.) If my college age child lives in a dorm room, are they liable as a social host?

Yes. Your child is in control of their dorm room, so the social host law applies to them. This means that if they provide alcohol to underage friends or guests, or allow underage friends or guests to drink in their dorm room, they may be held responsible for any accidents or injuries that happen.

**Resources:** Massachusetts Substance Use Helpline ([helplinema.org](http://helplinema.org), 1-800-327-5050), SAMHSA (1-800-662-HELP), Parents: Facts on Teen Drug Abuse (NIH)

**FAQ Main References:** [Concord MA Social Host Liability FAQ's](#), [Needham MA Social Host Liability Law FAQ](#), [Social Host Law Infographic \(Mass.gov\)](#)