

## Social Host Liability Laws

### What are social host liability laws?

Social host liability laws state that adults who provide alcohol to minors or those who are obviously intoxicated can be held legally liable if the person is killed or injured or kills or injures another person. The extent of these laws varies from State to State. In some States, social host liability is covered under dram shop laws. Dram shop liability refers to a drinking establishment's potential financial liability for serving alcohol to an intoxicated or underage person who later causes injury to a third party. However, dram shop laws usually cover only commercial service and not individuals. As of January 1, 2010, 19 States had general hosting laws, and 8 States had laws specific to underage parties.

### How do social host liability laws reduce underage drinking and its consequences?

Many youth get alcohol from older adults (e.g., siblings and parents) and from homes (e.g., parties). Social host liability laws try to prevent this by encouraging adults to think twice before purchasing kegs, for example, and allowing underage youth to drink in their homes. Currently, one third of teens report that it is easy to obtain alcohol from their own parents knowingly, which increases to

40 percent when the alcohol is from a friend's parent. One in four teens has attended a party where minors were drinking in front of parents.

Social host laws have proven effective in reducing underage drinking as well as its consequences. In one analysis of all 50 States, social host liability laws were associated with reductions in heavy drinking and with drinking and driving. A 2010 study found that among 18- to 20-year-olds, social host liability laws for minors reduced the drunk driving fatality rate by 9 percent.

### How can my community take this action?

Take the following steps to initiate or strengthen social host laws:

**Assess your State and community's current laws.** If social host liability laws are already in place, then assess the degree to which they are being enforced. If an ordinance or law is not in place, mobilize to get one passed. Your effort could target the city, county, or State level.

**Provide a ready-made social host liability law or ordinance as a model for lawmakers.** Some issues to consider when drafting a law are who the law should target (i.e., whether the law covers adults who provide alcohol to those who are obviously intoxicated or underage youth or both) and the degree of knowledge that hosts

must have (e.g., whether adults must “knowingly” allow underage drinking parties in their home).

***Build community support for social host liability laws from parent groups, law enforcement, and other community members.*** Public awareness activities can help the community understand the relationship between easy access to alcohol and increased motor vehicle crashes and fatalities. Promote public awareness of the fact that when parents or other adults provide alcohol to youth, they are breaking the law and contributing to alcohol-related problems in their community.

***Measure and report successful outcomes.*** Some measures of the effectiveness of social host laws are:

- ▶ Rates of youth arrested for driving under the influence;
- ▶ Rates of alcohol-related crime;
- ▶ Number of alcohol-related motor vehicle crashes, injuries, and fatalities;
- ▶ Rate of adults arrested for providing alcohol to youth; and
- ▶ Rates of adults arrested for violating social host liability laws.

### Resources Supporting Action

Centers for Disease Control and Prevention, *The Health Communicator’s Social Media Toolkit*, from [http://www.cdc.gov/socialmedia/Tools/guidelines/pdf/SocialMediaToolkit\\_BM.pdf](http://www.cdc.gov/socialmedia/Tools/guidelines/pdf/SocialMediaToolkit_BM.pdf) (accessed January 31, 2012).

Substance Abuse and Mental Health Services Administration, *Focus on Prevention*, from <http://store.samhsa.gov/shin/content/SMA10-4120/SMA10-4120.pdf> (accessed January 31, 2012).

U.S. Department of Education Higher Education Center for Alcohol, Drug Abuse, and Violence Prevention, January 2011 Prevention Update, *Social Host Ordinances and Policies*, from <http://www.higheredcenter.org/services/assistance/prevention-update/social-host-ordinances-and-policies> (accessed January 31, 2012).