

HOUSE No. 3097

The Commonwealth of Massachusetts

PRESENTED BY:

Christopher M. Markey

To the Honorable Senate and House of Representatives of the Commonwealth of Massachusetts in General Court assembled:

The undersigned legislators and/or citizens respectfully petition for the adoption of the accompanying bill:

An Act relative to the social host law.

PETITION OF:

NAME:

Christopher M. Markey

DISTRICT/ADDRESS:

9th Bristol

HOUSE No. 3097

By Mr. Markey of Dartmouth, a petition (accompanied by bill, House, No. 3097) of Christopher M. Markey relative to furnishing alcoholic beverages to persons under twenty-one years of age. The Judiciary.

The Commonwealth of Massachusetts

**In the One Hundred and Ninetieth General Court
(2017-2018)**

An Act relative to the social host law.

Be it enacted by the Senate and House of Representatives in General Court assembled, and by the authority of the same, as follows:

1 SECTION 1. Section 34 of Chapter 138, as appearing in the 2014 Official Edition, is
2 hereby amended by inserting after the word “both” in line17, the following words :-

3 and shall be liable in a civil action for all monetary damages arising out of personal
4 injuries and deaths (including personal injury or death to the underage person to whom alcohol
5 was illegally delivered or furnished), or property damages proximately caused by the conduct
6 prohibited herein. In any civil action brought on the basis of this statute, the conduct of the
7 underage person in consuming alcohol delivered to a person in violation of this statute shall not
8 be a defense to the claim whether stated as negligence, comparative fault, intervening or
9 superceding cause, or otherwise.

10 The amendments to this statute shall apply retroactively to all civil actions pending at the
11 time of enactment.