

HOUSE No. 03744

The Commonwealth of Massachusetts

PRESENTED BY:

Garrett J. Bradley

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 passage of the accompanying bill:

An Act relative to the social host statute .

PETITION OF:

NAME:

Garrett J. Bradley

DISTRICT/ADDRESS:

3rd Plymouth

HOUSE No. 03744

By Mr. Bradley of Hingham, a petition (subject to Joint Rule 12) of Garrett J. Bradley relative to civil action for the sale, delivery or furnishing of alcoholic beverages to persons under the age of twenty-one. The Judiciary.

The Commonwealth of Massachusetts

In the Year Two Thousand Eleven

An Act relative to the social host statute .

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 2008 Official Edition, is hereby
2 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 injuries and
4 deaths (including personal injury or death to the underage person to whom alcohol was illegally
5 delivered or furnished), or property damages proximately caused by the conduct prohibited
6 herein. In any civil action brought on the basis of this statute, the conduct of the underage person
7 in consuming alcohol delivered to a person in violation of this statute shall not be a defense to
8 the claim whether stated as negligence, comparative fault, intervening or superceding cause, or
9 otherwise.
10 The amendments to this statute shall apply retroactively to all civil actions pending at the time of
11 enactment.