

HOUSE No. 3744

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 adoption of the accompanying bill:

An Act relative to the social host statute.

PETITION OF:

NAME:	DISTRICT/ADDRESS:	DATE ADDED:
<i>Garrett J. Bradley</i>	<i>3rd Plymouth</i>	<i>9/16/2011</i>

HOUSE No. 3744

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
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.