



Did You Know May 2016

What you should know about the Social Host Law.

With prom and graduation season upon us, extra precautions need to be in place for keeping our young adults safe. Even though Erie County passed a Social Host Law in 2014, we thought it may be a good reminder to revisit this legislation. The intent of the law is to help prevent underage drinking by holding adults accountable for allowing minors to drink. It is unlawful for any person 21 years or older who owns, rents, or otherwise controls a private residence, to knowingly allow the consumption of alcohol or alcoholic beverages by one or more minors on such premises or to fail to take reasonable corrective action upon becoming aware of the consumption of alcohol by one or more minors on such premises.

What the law says:

The law will provide a penalty:

- against private land holders who allow consumption of alcohol by minors
 - dependents of the land holders are exempt
- to anyone over the age of 21 who knowingly allows minors to consume alcohol in his/her home or on his/her privately owned property

What does the law mean?

- “Allow” means to give permission for, or approval of, possession or consumption of alcohol by any of the following means:
 - in writing
 - by oral statement
 - by any conduct that would cause a reasonable person to believe that permission or approval has been given
- “Knowingly” means to be aware of
- “Residence” shall mean any home, apartment, or any other unit or dwelling unit of any kind, including yards and open areas adjacent thereto.

Penalties:

- *Violation* for first and second offense. A *misdemeanor* for the third and subsequent offenses.
 - First offense: fine of \$250
 - Second offense: fine of \$500
 - Third and subsequent offenses: either a fine of \$1,000, a term of imprisonment not to exceed one year, or both
- In accordance with NY General Obligation Law, this law shall hold the parents or guardians liable for up to \$5,000 worth of damage for the acts of a minor under said guardian’s supervision.

Sources: Local Law No. 1 - 2014

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The Erie County Council for the Prevention of Alcohol and Substance Abuse, Inc., publishes Did You Know, a regular update about alcohol & other drugs - - America’s #1 public health problem. ECCPASA • 1625 Hertel Ave., Buffalo, NY 14216 • 716-831-2298 • www.eccpasa.org