

Suffolk County's Social Host Law



What is the Social Host Law?

The primary purpose of the Social Host Law is to deter underage drinking parties or gatherings where adults knowingly allow minors to drink alcohol or alcoholic beverages. The law applies to any adults (including parents) who are over the age of 18 and knowingly allows consumption of alcohol by minors (any person under the age of 21).

Why is this law needed?

This law provides a legal basis for holding adults responsible for knowingly allowing parties for individuals under the age of 21 to occur at a place under their control, whether or not they provide the alcohol.

Who can be charged?

- Anyone who is over the age of 18; and
- Owns, rents, or otherwise controls a private residence; or a permanent or temporary domicile, including a home, apartment, condominium, cooperative unit, trailer home, recreational vehicle, mobile home, overnight accommodations at a hotel, motel, campsite or short-term rental property; or other dwelling unit of any kind, including yards and open areas adjacent to these locations;
- Knowingly allows the consumption of alcohol or alcoholic beverages by any minor on such premises; or
- Fails to take reasonable corrective action upon learning of the consumption of alcohol or alcoholic beverages by any minor on such premises.

What is "Reasonable Corrective Action?"

Reasonable corrective actions shall include, but are not be limited to:

- Making a prompt demand that the minor(s) stop drinking the alcoholic beverage or leave the premises; and
- If the minor refuses to comply with the request, the adult must promptly report the underage drinking to:
 - o Local law enforcement; or
 - o Any other person with greater degree of authority over the minor (e.g. the minors' parents or guardians, etc.)

What are the penalties?

1st Offense: Fine not to exceed \$500

2nd and subsequent offenses: Misdemeanor—fine up to \$1,000 and/or a term of imprisonment not to exceed one year

Other laws regarding underage persons....

The New York State Penal Law, the Alcohol Beverage Control Law, and other state and local regulations make it illegal to engage in unlawful conduct with persons under the age of 21. These laws prohibit the sale of alcohol to persons under the age of 21, the purchase of alcohol for someone who is under the age of 21, and address conduct that endangers the welfare of persons of a protected age. Penalties are severe, and in many cases can result in significant fines and/or imprisonment