

1. What is Social Hosting?

Social hosting is providing and/or serving alcohol to a person who is under the age of 21. It can include:

- hosting a party at your house or on your property;
- simply providing alcohol to minors;
- parents and homeowners who are not on the premises and/or did not provide the alcohol.

2. What is the Social Host law?

The Texas Alcoholic Beverage Code §2.02(c) states:

An adult 21 years of age or older is liable for damages proximately caused by the intoxication of a minor under the age of 18 if:

- (1) the adult is not:
 - (A) the minor's parent, guardian or spouse; or
 - (B) an adult in whose custody the minor has been committed by a court; and
- (2) the adult knowingly:
 - (A) served or provided to the minor any of the alcoholic beverages that contributed to the minor's intoxication; or
 - (B) allowed the minor to be served or provided any of the alcoholic beverages that contributed to the minor's intoxication on the premises owned or leased by the adult.

3. Are there other legal consequences if I provide alcohol to minors?

Yes. You could face up to one year in jail and/or a \$4,000.00 fine. Your driver's license could be suspended automatically for 180 days upon conviction.

4. Does the Social Host law apply to my sixteen year old son if he gives alcohol to a minor?

Yes. It applies to anyone that furnishes alcohol to persons under 21.

5. Can I provide alcohol to my child?

A person may purchase an alcoholic beverage for or give an alcoholic beverage to a minor if he/she is the minor's adult parent, guardian or spouse, or an adult in whose custody the minor has been committed by a court, and he/she is visibly present when the minor possesses and/or consumes the alcoholic beverage.

6. Can I provide alcohol to my child's friends if I have their parents' permission?

No, the only minor you are allowed to provide alcohol to legally is your own child and even then your child must remain in your visible presence while possessing and/or consuming the alcoholic beverage.

7. What should I do if my child's underage friends bring alcohol into my home and start drinking?

Call the parents of the underage friend(s) and call the police.

8. My child and his friends are in the military. They are old enough to fight for our country so why can't I serve his friends alcohol in the safety of my own home if their parents give permission?

The law states that you may not serve alcohol to anyone under the age of 21 or allow them to consume alcohol in your home.

9. If there is an underage drinking party in a hotel room that is registered in my name, am I responsible?

Yes. If you are 21 years of age or older, you could be held civilly responsible for damages proximately caused by the intoxication of a minor under the age of 18, if you are not the minor's parent, guardian or spouse; you had prior knowledge of the underage drinking party; and you served or provided or allowed the minor to be served or provided any of the alcoholic beverages that contributed to the minor's intoxication on the premises you own or lease.

10. What happens if an underage drinking party is held on property that I own but I am unaware of the situation and did not provide any alcohol?

If you live in a community that has a local ordinance related to inadequate supervision, you may still be held responsible if you knew or should have known that an underage drinking party was being held on your property.

For more information:

www.tabc.state.tx.us
www.2young2drink.com
www.txdot.gov
www.nih.gov
www.nhtsa.gov/StopImpairedDriving

www.noys.org
www.alcoholfreechildren.org
www.nhtsa.gov
www.madd.org
www.centurycouncil.org

www.samhsa.gov
www.cadca.org
www.cdc.gov
www.niaaa.nih.gov

PARENTS: Get the FACTS

FACT: In 2008, 11% of students in *grades 9 - 12* admitted they had driven a car after having had a "good bit to drink" at least once in the past year. This increased to 19% when only the seniors' responses were examined.

FACT: In 2008, 187 Texas drivers *under the age of 21* were involved in fatal crashes while under the influence of alcohol (DUI).

FACT: In 2008, 1,082 Texans *under the age of 18* were arrested for driving under the influence.

FACT: In 2008, 5,601 Texans *under the age of 18* were arrested for violating the Texas liquor laws.

FACT: In 2008, 236 Texans *under the age of 18* were arrested for drunkenness.

FACT: In 2008, 31%, or 838, of young drivers *between the ages of 15 and 20* who were killed in a crash had a blood alcohol concentration (BAC) of .01 or higher, and 25%, or 694, had a BAC of .08 or higher.

FACT: For young drivers *between the ages of 15 and 20*, alcohol involvement in fatal crashes is higher among male drivers than their female peers – 26% among males compared to 14% among females.

FACT: Motor vehicle crashes are the leading cause of death among youth *ages 15 to 20*, and the rate of fatal crashes among alcohol-involved drivers *between 16 and 20 years old* is more than twice the rate for alcohol-involved drivers 21 and older.

FACT: Alcohol use is associated with many adolescent risk behaviors, including other drug use and delinquency, weapon carrying and fighting and perpetrating or being the victim of date rape. Alcohol use also is linked with youthful deaths by drowning, suicide and homicide.

