

GENERAL ASSEMBLY OF NORTH CAROLINA

SESSION 1995

S

1

SENATE BILL 438

Short Title: No Social Host ABC Liability.

(Public)

Sponsors: Senator Sherron.

Referred to: Judiciary I/Constitution

March 21, 1995

A BILL TO BE ENTITLED

AN ACT TO PROVIDE THAT SOCIAL HOSTS PROVIDING ALCOHOLIC BEVERAGES TO ADULT GUESTS SHALL NOT BE LIABLE FOR DAMAGES TO OR CAUSED BY THOSE ADULT GUESTS.

The General Assembly of North Carolina enacts:

Section 1. Chapter 18B of the General Statutes is amended by adding a new section to read:

"§ 18B-309. No social host liability.

(a) A person, including a nonprofit corporation, who is a social host, and is either not required to obtain a permit under this Chapter, or has obtained a special occasion permit or a limited special occasion permit, pursuant to G.S. 18B-1001, for a special occasion as defined in G.S. 18B-301(c), who provides alcoholic beverages to guests 21 years of age or older shall not be liable for any damages to adult guests or damages caused by any adult guests who consumed the alcoholic beverages.

(b) Subsection (a) of this section abrogates and abridges all claims for relief under the common law."

Sec. 2. This act is effective upon ratification.