



AMHERST COLLEGE

Office of the Dean of Faculty

February 2, 2001

To the Amherst Community:

We've just learned of a change in the Massachusetts General Laws, enacted without press coverage or fanfare on August 8, 2000, that makes it a **criminal** offense for **any** person to furnish any alcoholic beverage to a person under 21 years of age, parents or grandparents of the person excepted. The penalties are up to a year in jail and a \$2,000 fine. Previously, while it was a criminal offense for a person under 21 years of age to possess or consume alcohol, serving alcohol to such a person was not itself a criminal offense, except in the context of a licensed establishment.

We've been advised to let Faculty and Staff know of this change in law, which means that you should not serve alcoholic beverages to persons under 21 even at private social functions (for example, department parties or at your homes). As a result of this change faculty and staff members could not be defended or indemnified under the college general liability policies if any injury or damage were to result from the behavior of individuals under 21 served at such a function.

We understand that this may be at odds with past practice at Amherst. For this reason, we have included the exact wording of the law as passed. Please feel free to get in touch with either of our offices if you have any questions.

Sincerely,

Lisa A. Raskin
Dean of the Faculty

Ben Lieber
Dean of Students

Enclosure

Section 34. of chapter 138 of the General Laws, as appearing in the 1998 Official Edition, is hereby amended by striking out the first paragraph and inserting in place thereof the following paragraph:-

No person shall receive a license or permit under this chapter who is under 21 years of age. Whoever makes a sale or delivery of any alcoholic beverage or alcohol to any person under 21 years of age, either for his own use or for the use of his parent or any other person, or whoever, being a patron of an establishment licensed under section 12 or 15, delivers or procures to be delivered in any public room or area of such establishment if licensed under section 12, 15, 19B, 19C or 19D or in any area of such establishment if licensed under said section 15, 19B, 19C or 19D any such beverages or alcohol to or for use by a person who he knows or has reason to believe is under 21 years of age or whoever procures any such beverage or alcohol for a person under 21 years of age in any establishment licensed under section 12 or procures any such beverage or alcohol for a person under 21 years of age who is not his child, ward or spouse in any establishment licensed under said section 15, 19B, 19C or 19D or whoever furnishes any such beverage or alcohol for a person under 21 years of age shall be punished by a fine of not more than \$2,000 or by imprisonment for not more than one year or both. For the purpose of this section the word "furnish" shall mean to knowingly or intentionally supply, give, or provide to or allow a person under 21 years of age except for the children and grandchildren of the person being charged to possess alcoholic beverages on premises or property owned or controlled by the person charged.