

Social Host Ordinance in Minnesota

POLICY BRIEF

Summary

- Social host ordinances make it unlawful for private residents or individuals (social hosts) to knowingly provide or allow alcohol consumption by those under age 21 to occur on premises under the host's control.
- Expanded social host ordinance includes alcohol and cannabis.
- The goal of a social host ordinance is to reduce access to substances such as alcohol for those under age 21 and hold social hosts responsible who fail to use reasonable precautions to do so.
- Social host ordinances are enforced by county and/or city jurisdictions in Minnesota. In 2021, 64% of Minnesotans lived in a city or county with a social host ordinance.
- The evidence for the effectiveness of social host ordinance is limited and mixed. However, research shows that more comprehensive and stringent alcohol control policies are associated with lower prevalence and frequency of alcohol consumption by youth and can delay the age of first using alcohol.

Background

A social host ordinance makes it unlawful for adults or private residents, referred to as social hosts, to knowingly provide or allow alcohol consumption by minors (those under age 21) on premises under the host's control such as their residence, other private property, and public places such as parks.¹ This does not apply to businesses or retailers that sell or serve alcohol. A host does not have to be present at the event to be held responsible. If the host knowingly provided alcohol or had reason to suspect that underage drinking would occur and did not take any action to prevent the event from continuing, nor prevented the consumption, then the host can be held responsible.¹ Hosts who are determined to have been unaware of alcohol consumption by those under age 21 on their property are not held responsible.

Overall, social host ordinances aim to reduce underage access to alcohol and hold hosts responsible who fail to use reasonable precautions to do so. Research shows that youth who start drinking alcohol before age 15 are more likely to develop alcohol use disorder or alcohol-related harms later in life compared to those who begin drinking at or after age 21.² Reducing social access to alcohol can be part of a comprehensive approach to reduce the use of alcohol by those under 21.³

Alcohol consumption by minors is more likely to take place in private contexts (e.g., homes) compared to public places such as parks.⁴ Figure 1 shows where Minnesota youth in grades 8, 9, and 11 who reported current alcohol use got their alcohol in 2022. Most minors accessed

alcohol through friends, parents, family members, or parties. A large portion of youth that currently use alcohol reported taking it from their homes.⁵

Minnesota students most commonly access alcohol from friends, parents, or by taking it from home.

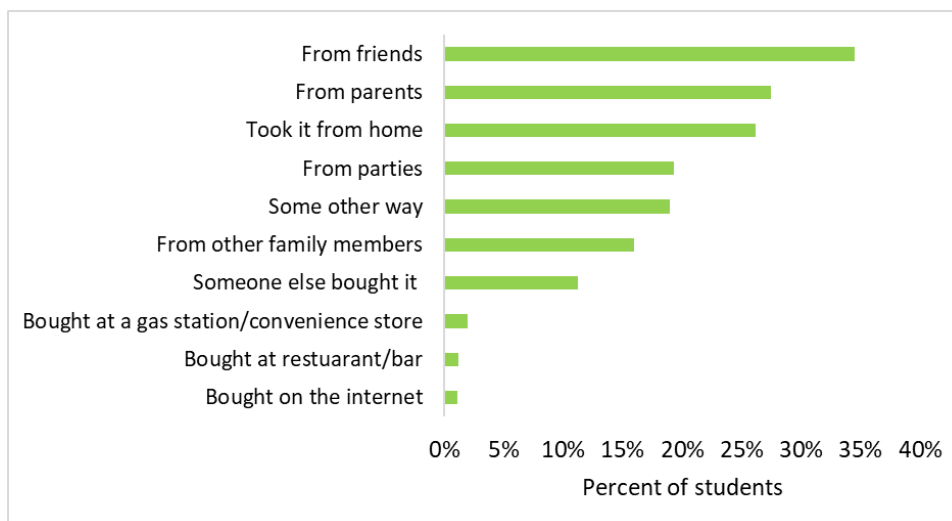


Figure 1: Top sources of alcohol reported by students in grades 8, 9, and 11 (in Minnesota), who report current alcohol use. Current alcohol use is defined as consuming alcohol at least once in the last 30 days. Data obtained through the 2022 Minnesota Student Survey.⁵

Effectiveness

The evidence for the effectiveness of social host ordinance on reducing or preventing underage drinking is limited and mixed.⁴ However, research shows that more comprehensive and stringent alcohol control policies are associated with an older age of first alcohol use and lower prevalence and frequency of alcohol consumption by youth.⁶ For example, younger youth (age 17 and younger) who lived in areas with more comprehensive social host ordinances drank heavily less frequently in private contexts than youth living in areas with less comprehensive social host ordinance.⁴ Additionally, research on alcohol-related laws that apply to youth demonstrate that social host ordinances were associated with a 1.7% reduction in traffic-related fatalities of underage drinkers.⁴

While ordinances and laws that target alcohol consumption by those under 21 seem promising, public ambivalence and variation in enforcement may reduce effectiveness.⁷ For example, social host ordinances can only prevent or reduce underage drinking if they are enforced. These policies are likely more effective if the public is aware and understand who and why someone may be held liable.⁶ It is also important to consider the age of the population of focus and the context in which ordinances are being enforced when evaluating effectiveness. For example, social host ordinances have been found to have a greater impact on younger youth (age 17 and younger) who consume alcohol as compared to older youth (18 and older), and to reduce frequency of drinking in private contexts (e.g., homes) as compared to public contexts (e.g., restaurants and music venues).⁴ This potentially greater impact may be due to younger youth

being more likely to be living at home with parents/guardians than youth older than age 18, and a lower likelihood that they are drinking in public places such as music venues.

It is important to emphasize that social host ordinances are written to hold hosts responsible who fail to use reasonable precautions to keep alcohol away from minors.⁸ As part of a comprehensive strategy that includes other effective alcohol policies that are proven to reduce excessive alcohol use, including underage drinking (e.g., increasing alcohol taxes, regulating the number of places selling alcohol and the distance between them), a well-enforced and widely publicized social host ordinance may contribute to reductions in underage alcohol use.

Expanded social host ordinance

As of 2021, in Minnesota there are 147 city and 37 county social host ordinances that pertain to alcohol [only] and 3 expanded social host ordinances, which include alcohol and cannabis.¹ The introduction of an expanded social host ordinance, which includes alcohol and cannabis, could provide a more comprehensive enforcement tool for deterring underage use of both substances. This is of particular relevance because, as of 2023, Minnesota allows for the sale of smokable and edible cannabis products that contain THC to adults 21 years and older, increasing the availability of cannabis.

An expanded social host ordinance would hold hosts accountable for knowingly providing a place for underage drinking or cannabis use to occur.⁹ This policy could also deter the simultaneous co-use of alcohol and cannabis. Students who report current alcohol use have 14.5 times the risk of using cannabis than students who report no current alcohol use.⁵ This demonstrates the need for a more encompassing social host ordinance.

Statewide social host ordinance

Research on current social host ordinances found that effectiveness is variable, and enforcement is inconsistent.¹⁰ While 68% of Minnesotans lived in jurisdictions with social host ordinances in 2021,¹ the specifics of the ordinances and coverage vary considerably and could cause confusion for enforcement. For example, Pine County, Minnesota has a county-wide expanded social host ordinance, which includes both alcohol and cannabis, whereas there are more than 10 city-wide alcohol-only social host ordinances in Hennepin County, but not a county-wide ordinance.

A potential strategy to improve messaging and increase effectiveness of social host ordinances could be to enact a statewide policy. A statewide social host ordinance would, for example, provide a more consistent standard and enforcement across counties, cities, and jurisdictions throughout Minnesota. It would also establish more consistent messaging that adults should not provide youth with alcohol and the consequences if they do knowingly allow youth consumption on their property.

Resources

- [Prevention First - Social Host Ordinances \(https://www.prevention.org/alcohol-policy-resource-center/fact-sheets/social-host-ordinances/\)](https://www.prevention.org/alcohol-policy-resource-center/fact-sheets/social-host-ordinances/)
 - Provides a general overview of Social Host Ordinances along with considerations for implementation.
- [University of Minnesota - Policies to reduce social access to alcohol \(https://aep.umn.edu/sites/aep.umn.edu/files/2023-01/Social-Access-Policies.pdf\)](https://aep.umn.edu/sites/aep.umn.edu/files/2023-01/Social-Access-Policies.pdf)
 - Information on various evidence-based policies to reduce social access to alcohol, including social host liability (or ordinance)
- [SAMHSA - Preventing and reducing underage drinking \(https://store.samhsa.gov/sites/default/files/pep21-03-00-001.pdf\)](https://store.samhsa.gov/sites/default/files/pep21-03-00-001.pdf)
 - State performance and Best Practices (SPBP) describes best practices and promising approaches in prevention, intervention, and enforcement.
 - Policy description, limitations, and selected references on social host ordinances.
- [Health and Human Services North Dakota - Social Host Liability Law \(https://www.hhs.nd.gov/prevention/alcohol/underage-drinking-prevention-strategies/social-host-liability-law\)](https://www.hhs.nd.gov/prevention/alcohol/underage-drinking-prevention-strategies/social-host-liability-law)
 - Overview of North Dakota social host liability law along with frequently asked questions and resources for developing a social host ordinance.

Definitions

- Alcohol - ethyl alcohol, hydrated oxide of ethyl or spirits of wine, liqueur, cordials, whiskey, rum, brandy, gin, or any other distilled spirits including dilutions and mixtures thereof from whatever source or by whatever process produced.¹¹
- Alcoholic beverage - alcohol, spirits, liquor, wine, beer, and every liquid or solid containing alcohol, spirits, wine or beer and which contains one-half (½) of one (1) percent or more of alcohol by volume and which is fit for beverage purposes either alone or when diluted, mixed or combined with other substances.¹¹
- Cannabis - may also be called marijuana, weed, or pot—refers to the dried flowers, leaves, stems, and seeds of the cannabis plant.
- THC - (Tetrahydrocannabinol) THC is a component of cannabis that is impairing or mind-altering, meaning it creates a feeling of being “high.” THC can cause intoxication and affect how you perceive and think about things, how you feel, and how you make decisions.
- Adult - any person eighteen (18) years of age or older.¹¹

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- Parent - any person having legal custody of a juvenile as a natural parent, adoptive parent, stepparent, legal guardian, or a person to whom legal custody has been given by order of the court.¹¹
- Host - to permit, aid, conduct, entertain, organize, supervise, or control an event or gathering.¹¹
- Event - any group of three (3) or more persons who have assembled or gathered for a social occasion or other activity.¹¹
- Residence/premises - any home, yard, field, land, apartment, condominium, hotel or motel room, or other dwelling unit, or a hall or meeting room, park or any other place of assembly, public or private, whether occupied on a temporary or permanent basis, whether occupied as a dwelling or specifically for a party or other social function, and whether owned, leased, rented, or used with or without permission or compensation.¹¹
- Social Host – any person who permits, allows, or hosts a gathering at their place of residence or other private property, public place or any other premises under their control where alcohol, cannabis, or other substances have been consumed by a minor.¹²

References

1. Minnesota Social Host Ordinances. (2021). In MPRC. MPRC. Retrieved January 3, 2024, from <https://mnprc.org/wp-content/uploads/2021/04/Social-Host-Ords-Infobrief-3.29.21.pdf>
2. Dawson D, RB G, Chou S, Ruan W, Grant B. Age at first drink and the first incidence of adult-onset DSM-IV alcohol use disorders. *Alcoholism: Clinical and Experimental Research*. 2008;32(12):2149-2160.
3. Apollo. (n.d.). Prevention first. Prevention First. <https://www.prevention.org/alcohol-policy-resource-center/fact-sheets/social-host/>
4. Wolf JP, Islam S, García-Ramírez G, Paschall MJ, Lipperman-Kreda S. Relationships Between Social Host Policies, Youth Drinking Contexts, and Age. *J Stud Alcohol Drugs*. 2021 Nov;82(6):730-739. doi: 10.15288/jsad.2021.82.730. PMID: 34762032; PMCID: PMC8819614.
5. Norman I, Gloppen K. Alcohol use among youth in Minnesota 2022. Saint Paul, MN: Minnesota Department of Health, February 2024.
6. Social Host Ordinances in Wisconsin. (2012). Wisconsin Alcohol Policy Project. Retrieved January 3, 2024, from <https://www.hhs.nd.gov/sites/www/files/documents/BH/Wisconsin%20Social%20Host%20Policy%20Analysis.pdf>
7. Fell JC, Scherer M, Thomas S, Voas RB. Assessing the Impact of Twenty Underage Drinking Laws. *J Stud Alcohol Drugs*. 2016 Mar;77(2):249-60. doi: 10.15288/jsad.2016.77.249. PMID: 26997183; PMCID: PMC4803657.
8. Social Host Liability Law. (n.d.). Health and Human Services North Dakota. <https://www.hhs.nd.gov/prevention/alcohol/underage-drinking-prevention-strategies/social-host-liability-law>
9. Partnership to End Addiction. (2023, December 1). Social host Law. <https://drugfree.org/article/social-host-law>
10. Wagoner, K., Francisco, V., Sparks, M., Wyrick, D., Nichols, T., & Wolfson, M. (2012). A review of social host policies focused on underage drinking parties: Suggestions for future research. *Journal of Drug Education*, 42(1), 99–117. doi:10.2190/DE.42.1. f
11. MuniCode Library. (n.d.). https://library.municode.com/mn/minneapolis/codes/code_of_ordinances?nodeId=COOR_TIT14LIBE_CH370REINMI_370.45SOHO
12. "Social Host Liability: A State Policy to Reduce Access to Alcohol by Underage People," Alcohol Epidemiology Program, School of Public Health, University of Minnesota 1998.

Suggested Citation

Norman I, Gloppen K, Dubberley K. Social Host Ordinance in Minnesota: Policy Brief. Saint Paul, MN: Minnesota Department of Health, April 2024.

Minnesota Department of Health Injury and Violence Prevention Section
PO Box 64882
St. Paul, MN 55164-0882
health.injuryprevention@state.mn.us
<http://www.health.state.mn.us/injury>