

Civil Liability

General Obligations Law Sections 11-100 and 11-101

Injuries Caused by Intoxicated Underage People – Any person who knowingly caused or assisted in the intoxication or impairment of ability of an underage person shall be liable to any person who was injured in person, property, means of support or otherwise, by reason of the intoxication or impairment of ability of any person under the age of 21 with knowledge or reasonable cause to believe that such person was under the age of 21.

In the case of the death of either party, the action or right of action shall survive to or against his or her executor or administrator, and the amount so recovered by either a husband, wife or child shall be his or her sole and separate property.

Such action may be brought in any court of competent jurisdiction.

In any case where parents shall be entitled to such damages, either of such parents may bring an action therefor; but that recovery by either one of such parties shall constitute a bar to suit brought by the other.

Injuries Caused by Intoxicated People – Any person who shall be injured in person, property, means of support, or otherwise by any intoxicated person, or by reason of the intoxication of any person, whether resulting in his death or not, shall have a right of action against any person who shall, by unlawful selling to or unlawfully assisting in procuring liquor for such intoxicated person, have caused or contributed to such intoxication; and in any such action such person shall have a right to recover actual and exemplary damages.

In the case of the death of either party, the action or right of action shall survive to or against his or her executor or administrator, and the amount so recovered by either a husband, wife or child shall be his or her sole and separate property.

Such action may be brought in any court of competent jurisdiction.

In any case where parents shall be entitled to such damages, either of such parents may bring an action therefor; but that recovery by either one of such parties shall constitute a bar to suit brought by the other.