**DRAM SHOP LIABILITY:**

Alabama is a DRAM SHOP STATE! This means that you, the manager, and the owner can be held responsible for the damages caused if you illegally serve a minor or an intoxicated customer and an incident occurs of death or damaged property. The same litigation may be brought against you if **controlled substances are furnished to a minor.** In the State of Alabama, there is no limit on the dollar amounts that you and the company may be sued for.

##### **6-5-70 Furnishing liquor to minors**

Either parent of a minor, guardian, or a person standing in loco parentis to the minor having neither father nor mother shall have a right of action against any person who unlawfully sells or furnishes spirituous liquors to such minor and may recover such damages as the jury may assess, provided the person selling or furnishing liquor to the minor had knowledge of or was chargeable with notice or knowledge of such minority. Only one action may be commenced for each offense under this section.

#### 6-5-71 Right of action of wife, child, parent, or other person for injury in consequence of illegal sale or disposition of liquor or beverages

(a) Every wife, child, parent, or other person who shall be injured in person, property, or means of support by any intoxicated person or in consequence of the intoxication of any person shall have a right of action against any person who shall, by selling, giving, or otherwise disposing of to another, contrary to the provisions of law, any liquors or beverages, cause the intoxication of such person for all damages actually sustained, as well as exemplary damages.

(b) Upon the death of any party, the action or right of action will survive to or against his executor or administrator.

(c) The party injured, or his legal representative may commence a joint or separate action against the person intoxicated or the person who furnished the liquor, and all such claims shall be by civil action in any court having jurisdiction thereof.

* **6-5-72 Liability of person for injury to third party in consequence of selling or furnishing controlled substance to minor**

(a) A person who unlawfully sells, furnishes or gives a controlled substance as defined in Section 20-2-2 to a minor may be liable for injury or damage or both suffered by a third person caused by or resulting from the use of the controlled substance by the minor, if the sale, furnishing, or giving of the controlled substance is the proximate cause of the injury or damage.

(b) A third person who is injured or damaged or both, under subsection (a) shall have a cause of action against the person selling, furnishing, or giving the controlled substance to the minor.

(c) Conviction under any criminal law relating to the unlawful sale, furnishing, or giving of a controlled substance shall conclusively establish an unlawful sale, furnishing, or giving of a controlled substance under this section.

(d) Upon the death of a party, the cause of action or right to the cause of action shall survive to the estate of the party.

**Alabama is one of the most prosecuted Dram Shop States in the country. Many of the Dram Shop awards have exceeded a million dollars and one recent judgment was over 15 million dollars.**