

# **WEST VIRGINIA LEGISLATURE**

## **2025 REGULAR SESSION**

**Introduced**

### **Senate Bill 884**

By Senator Grady

[Introduced March 24, 2025; referred  
to the Committee on the Judiciary]

1 A BILL to amend the Code of West Virginia, 1931, as amended, by adding a new section,  
 2 designated §55-7-33, relating to liability for injury or damage resulting from intoxication;  
 3 providing civil liability for a person who furnishes alcohol to a person not of lawful drinking  
 4 age or addicted to alcohol; clarifying applicable criminal law; and limiting scope of  
 5 applicability.

*Be it enacted by the Legislature of West Virginia:*

**ARTICLE 7. ACTIONS FOR INJURIES.**

**§55-7-33. Liability for injury or damage resulting from intoxication.**

1 (a) A person, who willfully and unlawfully furnishes alcoholic beverages to a person who is  
 2 not of lawful drinking age or who knowingly serves a person habitually addicted to the use of any or  
 3 all alcoholic beverages, may be liable in a civil action for injury or damage caused by or resulting  
 4 from the intoxicated person served.

5 (b) In addition to potential civil liability, a person who willfully and unlawfully furnishes  
 6 alcoholic beverages to a person who is a minor in violation of subsection (a) of this section may be  
 7 criminally prosecuted for contributing to the delinquency of a child pursuant to §61-8D-10 of this  
 8 code.

9 (c) This section does not apply to a retail licensee, or an agent or employee thereof acting  
 10 in the scope of his or her employment.

11 (d) This section does not abrogate, modify, or otherwise affect any obligation, penalty, or  
 12 remedy imposed by §60-3A-1 et seq. of this code.

NOTE: The purpose of this bill is to provide that a person who furnishes alcohol to a person not of lawful drinking age or addicted to alcohol may be liable for injury or damage in a civil action. The bill also provides for criminal prosecution for contributing to the delinquency of a child; and limits the scope of applicability.

Strike-throughs indicate language that would be stricken from a heading or the present law and underscoring indicates new language that would be added.