



“Max Gruver Act”: The New Georgia Anti-Hazing Act

The new law bans individuals in student organizations, including fraternities and sororities, at colleges, universities, and technical schools from subjecting students, as a condition of membership or status, from performing any act that could endanger their physical health or from coercing them into consuming food, alcohol, or drugs that could result in vomiting, intoxication, or unconsciousness. In addition, the law requires educational institutions to post hazing violations on their websites for at least 5 years.

What You Need to Know

- **Definition of Hazing:** An individual commits hazing by subjecting an enrolled student or prospectively enrolled student to perform an activity, in connection with or as a condition or precondition of gaining acceptance, membership, office, or other status in a student organization, that “endangers” or is “likely to endanger” his or her physical health or “coerces” the student through the use of “social or physical” pressure to consume any food, liquid, alcohol, drug, or other substance which subjects the individual to a likely risk of vomiting, intoxication, or unconsciousness.
- **The victim’s consent is not an excuse:** Hazing may occur regardless of a student’s willingness to participate in the activity.
- **Criminal penalties:** Any person who commits hazing is guilty of a misdemeanor of a high or aggravated nature, which may result in a \$5,000 fine and up to one year in jail.
- **Reporting requirements:** Educational institutions must disclose the administrative adjudication of each hazing or hazing related conviction within 15 calendar days. The disclosure must be made on their public website for a period of at least 5 years and must include: (1) the name of the school organization involved; (2) the dates on which the hazing occurred; and (3) a description of the specific hazing related findings, sanctions, adjudications, and convictions.
- **Effective date:** The new law went into effect on July 1, 2021

Action Items for National Organizations and Local Chapters

1. Advise members of the broad definition of hazing that includes any act that is “likely” to endanger a student’s (or prospective student's) physical health or coerces a student through “social or physical” pressure to consume “any” food, liquid, drug or other substance that subjects the student to a “likely” risk of vomiting, intoxication, or unconsciousness.
2. Remember, the definition of hazing includes acts in “connection with” or as a “condition or precondition” of gaining acceptance, membership, office or other status, which can include acts against active members, not just pledges, and may also include acts against both enrolled and prospectively enrolled students.
3. The victim’s consent to hazing is not a defense.
4. Review and update your risk management policies to ensure they are consistent with the new anti-hazing act’s requirements.
5. Be aware that educational institutions are required to develop or revamp their anti-hazing policies and post hazing violations on their public websites effective July 1, 2021.