

Department of Finance and Administration

Legislative Impact Statement

Bill: SB339

Bill Subtitle: TO AUTHORIZE CERTAIN PERMIT HOLDERS TO SELL ALCOHOLIC BEVERAGES DIRECTLY TO CONSUMERS TO BE CONSUMED OFF-PREMISES OR DELIVERED TO THE CONSUMER AT A LOCATION OFF-PREMISES.

Basic Change :

Sponsors: Sen. J. English and Rep. Pilkington

SB339 authorizes restaurants holding a valid alcoholic beverage permit to sell alcoholic beverages to consumers aged 21 years or older for consumption off-premises through take-out or direct delivery to the consumer. The permittee may only deliver alcoholic beverages in wet counties, cannot deliver through a third-party delivery service, and may only sell the alcoholic beverages for off-premises consumption with the purchase of food. Under current law, restaurants may only sell alcoholic beverages to consumers aged 21 years of age or older for on-premises consumption.

SB339 defines "alcoholic beverage" as "beers, malt beverages, hard ciders, vinous liquors, or spirituous liquors." The bill defines "spirituous liquors" to only include "mixed drinks or specialty drinks that are made by the permit holder at the premises." SB339 does not allow a restaurant to sell unmixed spirits or spirits in the manufacturer's original containers to consumers for consumption off-premises.

SB339 directs the Alcoholic Beverage Control Division to adopt final rules to implement the bill on or before January 1, 2022 or as soon as is practicable.

Revenue Impact :

None.

Taxpayer Impact :

Certain businesses holding Alcohol Beverage Permits would be authorized to sell alcoholic beverages in conjunction with the sale of food to consumers for off-premises consumption.

Resources Required :

None.

Time Required :

Adequate time is provided for implementation.

Procedural Changes :

Updates to the Sales and Use Tax Rules will need to be promulgated.

Other Comments :

None.

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Legal Analysis :

None.