

2013 HOUSE INDUSTRY, BUSINESS, AND LABOR

HB 1367

2013 HOUSE STANDING COMMITTEE MINUTES

House Industry, Business and Labor Committee
Peace Garden Room, State Capitol

HB 1367
January 28, 2013
Job 17846

Conference Committee

Committee Clerk Signature

Explanation or reason for introduction of bill/resolution:

Alcoholic beverages on Sunday

Minutes:

Attachment 1

Committee called to order.

Hearing on HB 1367 opened

Representative Boehning: This bill would bring about a Sunday opening at 10:00 am versus noon. The bill leaves it up to local subdivisions whether they want to have liquor sales on Sunday. Neighboring states do allow 10:00 opening on Sundays. Provided specifics for Minnesota and Montana. Explained rationale behind proposed changes, including Sunday brunches, weekend tourists, and tailgating at sport events. Attachment 1 lists alcohol laws by state. It's all up to local control to allow the sale of alcohol on Sunday mornings. Requesting a do pass.

Representative Boschee: Why is this limited to alcohol?

Representative Boehning: There is a different bill relating to Sunday opening in general for retail sales.

Support:

Rudie Martinson, executive director of North Dakota Hospitality Association: The one complaint I get from my membership is that during football and NASCAR seasons, games start at or before noon, and businesses would like to open before that. Right now, those businesses will allow people to come in but will not serve alcohol to them before noon.

Mike Rud, North Dakota Petroleum Marketers and the North Dakota Retail Association: Convenience store owners are looking for more streams of revenue. When you look at Attachment 1, there are a lot of states with early morning openings and alcohol sales. We would be uniform with the rest of the week if we change to 8:00 am in terms of when we can open.

Chairman Keiser: This bill is proposing both on sale and off sale. Minnesota has no off sale for that first period. Do you have a position on off sale as being critically important during that time period?

Mike Rud: Off sale is very important to us. In the convenience store business, most of the alcohol they sell is off sale.

Chairman Keiser: Do we have any measure on what the financial impact will be?

Mike Rud: The impact will be substantial. On the lake, you may have to turn away 20 to 30 customers on a Sunday morning, just at one location.

Opposition:

Neutral:

Hearing closed.

Motion to do pass: Representative Kasper makes the motion; Representative Boschee seconds the motion.

Representative N. Johnson: Where does this permit the sale of off sale?

Representative Boehning: This is what we are governed by on the 2:00 am closing, so I am assuming this would cover both on sale and off sale.

Roll call vote:

Yes: 8

No: 3

Absent: 4

Carrier: Representative Kreun

Date: 1-28-2013

Roll Call Vote #: 1

**2013 HOUSE STANDING COMMITTEE
ROLL CALL VOTES
BILL/RESOLUTION NO. 1367**

House Industry, Business, and Labor Committee

Legislative Council Amendment Number _____

Action Taken: Do Pass Do Not Pass Amended Adopt Amendment
 Rerefer to Appropriations Reconsider Consent Calendar

Motion Made By Kasper Seconded By Boschee

Representatives	Yes	No	Representatives	Yes	No
Chairman George Keiser	✓		Rep. Bill Amerman	ab	
Vice Chairman Gary Sukut	✓		Rep. Joshua Boschee	✓	
Rep. Thomas Beadle	✓		Rep. Edmund Gruchalla		✓
Rep. Rick Becker		ab	Rep. Marvin Nelson		ab
Rep. Robert Frantsvog		✓			
Rep. Nancy Johnson	✓				
Rep. Jim Kasper	✓				
Rep. Curtiss Kreun	✓				
Rep. Scott Louser		ab			
Rep. Dan Ruby	✓				
Rep. Don Vigasaa		✓			

Total Yes 8 No 3

Absent 4

Floor Assignment Kreun

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

HB 1367: Industry, Business and Labor Committee (Rep. Keiser, Chairman)
recommends **DO PASS** (8 YEAS, 3 NAYS, 4 ABSENT AND NOT VOTING).
HB 1367 was placed on the Eleventh order on the calendar.

2013 TESTIMONY

HB 1367

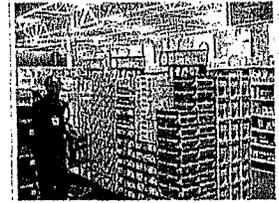
List of alcohol laws of the United States by state

From Wikipedia, the free encyclopedia

①

1-28-2013
HB 1367

The following table of **alcohol laws of the United States** provides an overview of alcohol-related laws by state throughout the US. This list is **not** intended to provide a breakdown of such laws by local jurisdiction within a state; see that state's alcohol laws page for more detailed information.



Beer at a Walmart in Kissimmee, Florida. Some states permit beer to be sold in grocery stores while others prohibit it.

As of July 1988, all 50 states and the District of Columbia had a minimum purchase age of 21, with some grandfather clauses. Prior to 1988, the minimum purchase age varied by jurisdiction. After Congress passed the National Minimum Drinking Age Act in July 1984, states not in compliance had a portion of their federal highway funding withheld. South Dakota and Wyoming were the final two states to comply, in mid-1988.

Unlike on the mainland, the U.S. territories of Puerto Rico and the U.S. Virgin Islands have a minimum purchase age of 18. The minimum purchase age is 21 in the Northern Mariana Islands and Guam.

U.S. military reservations are exempt under federal law from state, county and locally enacted alcohol beverage laws. Class Six stores in a Base Exchange facility, an Officers' and/or NCO clubs as well as other military commissaries which are located on a military reservation may sell and serve alcohol beverages at any time during their prescribed hours of operation to authorized patrons¹.

¹ The U.S. Department of Defense defines Authorized Patron as a person who is an active member of and/or a member who has the status of honorably retired from the U.S. Army, U.S. Air Force, U.S. Coast Guard, U.S. Marine Corps, and the U.S. Navy, and their direct dependents with proper military identification/dependents identification.

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State	Alcoholic beverage control state			Alcohol sale hours		Grocery Store Sales			
	Beer	Wine	Distilled spirits	On-premises	Off-premises	Beer	Wine	Distilled Spirits	
Alabama	No		Yes	No later than 2 a.m. on Sundays in some counties. Private clubs, which require a membership fee and a membership card, have no day or time restrictions.		Yes		No	13.9% ABV cap on Beer containers m: ABV > 14.9% win Alcohol may be se restricted by local Alabama's 67 coun alcohol. However, remain legal withi counties, 23 have a considered "moist" counties there are a city with a populat within a dry count passed by 50% of
Alaska	No			8 a.m.–5 a.m., ^[1] except election days (liquor stores may not open until polls close)			No (although many grocery stores have separate areas that sell all forms of alcoholic beverages and many bars sell packaged liquor as well)		Most communities from restrictions on and possession. ^[2] reason, give a pers than its cost. Seller but no intoxicated so an impaired serv
Arizona	No			6 a.m.–2 a.m. seven days a week—no election day nor holiday restrictions ^[3]		Yes			Sales of any type o has an off-premise: limited to conveni may sell closed cor off the premises. D allowed. Everclear alcohol) is legal. A Arizona is in India liquor laws consid law, up to and incl busts" (all the beer in bars are illegal. may work in bars a alcohol. Patrons m consumption more wine or 4 ounces o penalties are some person convicted o have an interlock in year. Arizona has a law that can convic less than .08%.
Arkansas	No			7 a.m.–2 a.m. (Class A Private Club) 10 a.m.–5 a.m. (Class B Private Club) 7 a.m.–1 a.m. (Restaurant)	7 a.m.–1 a.m. (Mon.–Fri.) 7 a.m.–midnight (Sat.)	Yes		No	Has numerous dry private clubs can s Alcohol sales are g exceptions can be i for restaurants and No sales on Christi
California	No			6 a.m.–2 a.m.		Yes			Relatively unrestric at grocery stores, c warehouse clubs. P Motor vehicles ent 1L of alcohol (dut) alcoholic beverage (B&P 23403 (http://law.justia.c -23405.3.html)), th You may serve alc age. City and County g hours. Some count the containers in p:

Colorado	No	7 a.m.–2 a.m.	Beer, wine, and liquor: 8 a.m.–midnight 3.2 beer: 5 a.m.–midnight	3.2 only*	No*	Spirituos, vinous stores and liquor-li Liquor stores close restriction lifted or liquor-licensed dru location, while 3.2' supermarkets, and licensed busines! on and off-premise grocery stores are l strength beer, wine
Connecticut	No	9 a.m.–1 a.m. (Mon.–Thurs.) 9 a.m.–2 a.m. (Fri.–Sat.) 11 a.m.–1 a.m.(Sun.)	8 a.m.–9 p.m. (Mon.–Sat.) 10 a.m.- 5 p.m. (Sun.)	Yes	No	Sunday off-premise 2012; ^{[4][5]} Sunday ordinances. Beer can be purcha Spirits and wine ca stores.
Delaware	No	9 a.m.–1 a.m.	9 a.m.–1 a.m. (Mon.–Sat.) noon–8 p.m. (Sun.) Municipalities with a population over 50,000 persons may impose stricter hours of sale by local ordinance.	No		For off-premise co purchased only in : pub that has an off- 21 may enter a liqu even for the intent lottery tickets. No : taprooms are perm Delaware Division Enforcement agent (http://date.delawa
District of Columbia	No	8 a.m.–2 a.m. Sun.–Thu., 8 a.m.–3 a.m. Fri.–Sat. ^[6]	Liquor Stores: 9 a.m.–12 a.m. Mon.- Sat., Closed Sun; Grocery Stores: 9 a.m.-12 a.m. daily ^[6]	Yes	No	No singles sold, bu for an exemption ^[7] . Certain wards may local ANC, but as : Liquor stores must December 24 and : Sunday). ^[8] On-premises retail: hour the day before New Year's Eve, o until 4 am on Janu:
Florida	No	State law prohibits selling of alcohol between 3 a.m. and 7 a.m., unless the county chooses to change the operating hours later; such as for Sunday morning; Ormond Beach stays open until 7pm on Sundays. Miami-Dade County liquor stores may operate 24 hours a day.		Yes	No	Sale, processing, o spirit of greater the No retail sale of w gallon. FS 564.05 : business establishn liquors, and wine. : liquor stores which grocery or a drug s of 32 or fewer oun- and 64-ounce beve
Georgia	No	Hours of sale determined by local jurisdiction. No alcohol sales on Christmas Day.		Yes	No	14% ABV cap on l

					Sunday off-premis p.m. allowed only In general, one ma there is no state law most municipal co limit the possessio private property, w Savannah. A charg warranted when or either loud or disor
Hawaii	No	Bars and restaurants stop serving alcohol at 2 a.m., but some hold a special 'cabaret license' that allows them to continue serving alcohol until 4 a.m. [7] (http://www.alcoholaws.org/hawaii/alcoholaws.html)	11:50 a.m. to 12 midnight	Yes	

State	Alcoholic beverage control state			Alcohol sale hours		Grocery Store Sales			Notes
	Beer	Wine	Distilled spirits	On-premises	Off-premises	Beer	Wine	Distilled Spirits	
Idaho	No		Yes	10:00 a.m. to 1:00 a.m., 2:00 a.m. in some counties		Yes		No	Alcoholic beverages exceeding 16% ABV can only be sold in Idaho State Liquor Dispensary stores, or contracted stores.
Illinois	No			Depending on local government; 24-hour bars are permitted in Cicero; a handful of 21-22 hour bars exist in Cook County, and the Metro East.		Yes			Opening/closing hours are up to the decision of counties or towns.
Indiana	No			7 a.m.–3 a.m.	7 a.m.–3 a.m. No sale on Sunday, except at local wineries and breweries.	Yes			Sales limited to on-premises in restaurants, wineries and breweries on Sundays. However, carryout wine and beer may be purchased on Sundays from the address for which a winery or brewery's permit is issued. No sales on Christmas. Minors, including babies, are not allowed to enter a liquor store. No sales of cold beer in grocery stores or gas stations. ID must be presented for all off-premises sales as of July 1, 2010 per IC 7.1-5-10-23. (Outdated as of July 1, 2011) Public intoxication is a class B misdemeanor. (IC 7.1-5-1-3)
Iowa	No		Yes	6 a.m.–2 a.m. Mon–Sat 8 a.m.–2 a.m. Sun ⁽¹⁰⁾		Yes			
Kansas	No			9 a.m. - 2 a.m. (in counties which allow on-premises sales)	9 a.m. - 11 p.m. (Mon-Sat) (in counties which allow off-premises sales) noon - 7 p.m. or 8 p.m. (Sun) (in communities which allow Sunday off-premises sales)	3.2 only		No	Kansas's alcohol laws are among the strictest in the United States. Kansas prohibited all alcohol from 1881 to 1948, and continued to prohibit on-premises sales of alcohol from 1949 to 1987. Sunday sales only have been allowed since 2005. Today, 29 counties still do not permit the on-premises sale of alcohol. 59 counties require a business to receive at least 30% of revenue from food sales to allow on-premises sale of alcohol. Only 17 counties allow general on-premises sales. Not all communities which allow off-premises sales allow sales on Sunday. Sales are prohibited on Christmas and Easter. The only alcoholic beverage which grocery stores and gas stations may sell is beer with no more than 3.2% alcohol by weight. Other liquor sales only are allowed at state-licensed retail liquor stores. Kansas has comprehensive open container laws for public places and vehicles, public intoxication laws, and requirements for prospective on-premises or off-premises licensees.
Kentucky	No			6 a.m. to 4 a.m. on Monday through Saturday (Except Election Day per Kevin Murphy)	1 p.m. to 4 a.m. on Sundays	Yes		No	Local ordinance may vote to permit Sunday sales at restaurants. Sales from 2–4 a.m. only in Louisville. As of 2005 Sunday sales were allowed per state law, but may still be prohibited in some areas by local ordinance (as of early 2006, such a situation existed with smaller cities within Louisville Metro, though these cities have since changed local ordinances).

					Alcohol sale restriction and wet/dry (both by drink and package) allowed by both county and city local option. Approximately 39 counties in the state (mostly eastern and southern counties) are dry, all alcohol sale and possession prohibited; 22 "moist" counties (with "wet" cities allowing package liquor sales in counties otherwise dry); 29 counties that are otherwise dry but have communities with local option that allow sales of liquor by the drink or under special exemptions allowing sales at wineries. Majority of wet counties are around major metropolitan areas (Louisville, Lexington, Covington, Bowling Green).	
Louisiana	No		No state imposed restrictions on on-premise hours. "24 hour" bars are common in New Orleans and in Jefferson Parish. Some municipalities and parishes (including Baton Rouge and East Baton Rouge Parish) require on-premise service to stop at 2:00 am.	No statewide restrictions on hours of package sales.	Yes	<p>Packaged alcoholic beverages of any strength may be sold in supermarkets, drug stores, gas stations, and convenience stores. Local municipalities may not restrict this. As a result, dedicated "liquor stores" are mostly specialty stores in larger cities, and some supermarkets have large selections of liquors and wines, and compete on the basis of liquor prices and selection.</p> <p>Alcohol can be consumed in the streets of New Orleans as long as it is in an "unbreakable container" (no glass) and may be taken from club to club if both establishments allow it. Otherwise, it depends on the locality. Most parishes other than Orleans Parish do not permit alcoholic beverages served on premises to be carried out. However, many parishes and municipalities permit consumption of packaged beverages (for example, cans of beer) on the street. Glass bottles on the streets are prohibited. One can enter most bars at 18 years of age but must be 21 years old to purchase or consume alcohol. Also, it is legal in the state of Louisiana for a legal parent or guardian to purchase alcoholic beverages for their underaged child.</p> <p>Drive-thru frozen daiquiri stands are legal and common.</p>
Maine	No	Yes	6 a.m. to 1 a.m. (Mon–Sat) 9 a.m. to 1 a.m. (Sun)		Yes ^[11]	ABV > Alcohol may not be purchased after 1 a.m. any day of the week, may not be purchased prior to 6 a.m. Monday through Saturday, and not prior to 9 a.m. on Sunday. Wholesaling through state-licensed monopoly. ^[12]
Maryland	Variable by locality		Variable by locality	Variable by locality	Variable by locality	<p>Baltimore County prohibits the sale on Sunday in some areas.</p> <p>In the counties of Montgomery, Somerset, Wicomico, and Worcester sale of alcoholic beverages are controlled directly by the county Liquor Control Boards, there is exceptions in Montgomery where some liquors are still sold in grocery store due to being grandfathered before the change of the law.</p> <p>Garrett County prohibits the sale on Sunday except in some areas.</p> <p>The sale of alcohol at grocery and</p>

Massachusetts	No	8:00 a.m.–2:00 a.m. by state law, although individual cities and towns may prohibit sales before 11:00 a.m. and after 11:00 p.m. ^[13] Not before 11:00 a.m. on Sunday. ^[14]	8:00 a.m.–11:00 p.m., or 8:00 a.m.–11:30 p.m. on the day before a holiday. ^[15] Not before noon on Sunday.	Yes. ^{[16][17]}	<p>convenience stores varies by county. There are no dry counties, but some individual voting districts within counties restrict or prohibit alcohol on a local-option basis.</p> <p>No individual, partnership, or corporation may have more than five off-premises licences in the state, nor more than two in any city, nor more than one in any town. No individual, partnership, or corporation not resident or headquartered in Massachusetts may apply for a license, although one may devolve thereupon.^[15]</p> <p>As of 2012-10-29, a Massachusetts driver's license, Massachusetts Liquor ID card, RMV-issued Massachusetts non-driver ID card, passport (issued by the US or a US-recognized foreign entity), US-issued Passport Card, and military identification card are the only acceptable proofs of age under state law. Out of state or Canadian driver's licenses/ ID's and other forms of identification do not grant the establishment legal protection if accepted as proof of age (and many establishments will not accept out of state licenses for this reason).^[18]</p> <p>On-premises regulations: No discounts at specific times (i.e. no "Happy Hour" discounts) or for specific individuals, no fixed-price open bar or all-you-can-drink (except at private functions), no more than two drinks per individual at any one time, no pitchers for fewer than two people, no drinking contests, no drinks as prizes, no free drinks.^[19]</p> <p>Off-premises sale of alcohol is prohibited on the last Monday in May (Memorial Day), Thanksgiving Day, Christmas Day, and the day after Christmas if Christmas falls on a Sunday.^[14]</p> <p>Sale of alcohol is prohibited during polling hours on election days (subject to local exceptions).^[14]</p> <p>"Malt beverages" defined as having not more than 12% alcohol by weight.^[20]</p>
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State	Alcoholic beverage control state			Alcohol sale hours		Grocery Store Sales			Notes
	Beer	Wine	Distilled spirits	On-premises	Off-premises	Beer	Wine	Distilled Spirits	
Michigan	No		Yes	7 a.m.–2 a.m. (Mon-Sat) noon-2 a.m. (Sunday)*sales may begin at 7 a.m. with special license extension	7 a.m.-2 a.m. (Mon-Sat) noon-2 a.m. (Sunday)*sales may begin at 7 a.m. with special license extension, ^[21]	Yes			The Michigan Liquor Control Commission (http://www.michigan.gov/lara/0,4601,7-154-10570---,00.html) allows the sale of alcoholic beverages until 11:59 p.m. on December 24 and after 12:00 p.m. on December 25. On-premises sales are permitted on January 1 until 4:00 a.m. Local or county ordinance may restrict Sunday or Sunday morning sales. State does not operate retail outlets; maintains a monopoly over wholesaling of distilled spirits only.
Minnesota	No (but see note)			8 a.m.–2 a.m. 7 Days	8 a.m.–10p.m. (Mon-Sat)	3.2% Only	No		Local and/or County ordinance prevails for hours of operation for off-sale licenses. No alcohol sales are allowed from off-sale package stores on Sunday. Growler sales allowed until 10 p.m. Monday–Saturday. Certain municipalities may establish municipal liquor stores; they are permitted, but not required, to exclude privately owned stores. ^[22]
Mississippi	No		Yes	Local authorities fix hours of alcohol sale		Yes	No		ABW > 5% wine and sparkling wine sold in state-contracted stores which are open from 10:00 am until 10:00 pm (Closed Sundays) statewide. Beer and light wine (ABW < 5%, ABV < ~6.3%) sold in convenience stores/supermarkets. Beer and light wine (ABW < 5%) may be consumed by persons age 18-20 with parental supervision. Governor Phil Bryant signed a bill permitting beer with 8% ABW/10% ABV on April 9, 2012. The bill went into effect on July 1, 2012. ^[23] No sales on Christmas Day. No state open container laws. Free alcohol all day and night in coastal casinos. In most counties, alcohol cannot be sold on Sundays. There are many dry counties in which it is illegal to possess alcoholic beverages, though some cities within dry counties have voted in beer sales.
Missouri	No			<i>Most establishments:</i> (Mon–Sat) 6:00am–1:30am (Sunday) 9:00am–12:00am <i>Special licenses in Kansas City and St. Louis:</i> (Daily) 6:00am–3:00am	(Mon–Sat) 6:00am–1:30am (Sunday) 9:00am–12:00am Sales permitted until 3:00 am in those Kansas City and St. Louis bars grandfathered into the ability to double as liquor stores.	Yes			One of the most alcohol-permissive states, perhaps only behind Nevada and Louisiana: <ul style="list-style-type: none"> ■ No open container law.^[24] ■ No state public intoxication law. ■ Liquor control law^[25] covers all beverages containing more than 0.5% alcohol, without further particularities based on percentage.^[26] ■ Cities and counties are prohibited from banning off-premises alcohol sales.^[27] ■ No dry jurisdictions. ■ State preemption of local alcohol laws which do not follow state law. ■ Certain bars in Kansas City and St. Louis grandfathered into the ability to double as liquor stores. ■ Special licenses available for bars and nightclubs which allow selling alcohol until 3:00am in Kansas City,^[28] Jackson County,^[29] North Kansas City,^[29] St. Louis,^[30] and St. Louis County.^[31] ■ Grocery stores, drug stores, and even gas stations may sell liquor without limitation other than hours.^[32]

						<ul style="list-style-type: none"> ■ Patrons allowed to take open containers out of bars in Kansas City's Power & Light District.^[33] ■ Parents and guardians may furnish alcohol to their children.^[34] ■ Missourians over 21 may manufacture up to 100 gallons of any liquor per year for personal use, without any further state limitation, state taxation, or state license.^[35] (Obtaining a permit from the Federal Alcohol and Tobacco Tax and Trade Bureau and meeting other requirements under federal law probably still is required for private citizens to manufacture distilled alcohol - but not wine or beer - for personal use.^{[36][37][38][39][40]}) <p>Missouri law recognizes two types of alcoholic beverage: liquor, which is any beverage containing more than 0.5% alcohol except "non-intoxicating beer"; and "non-intoxicating beer,"^[41] which is beer containing between 0.5% and 3.2% alcohol. Liquor laws^[42] apply to all liquor, and special laws apply to "non-intoxicating beer."^[41]</p>	
Montana	No	Yes	Closing 2am		Yes	No	ABV > 16% wine sold in state-contracted stores, ABV < 16% may be sold in grocery stores.
Nebraska	No		6 a.m.–1 a.m. Legislation passed in 2010 allows for municipalities to extend on-premise sales to 2 a.m. with two-thirds approval of city or county councils. ^[43]		Yes		No on- or off-premises sales of spirits before noon on Sundays. All beer, wine, and champagne can be sold starting at 6 a.m.
Nevada	No		24 hours	24 hours	Yes		There are few restrictions on the sale and consumption of alcohol in Nevada except for age. State law also renders public intoxication legal, and explicitly prohibits any local or state law from making it a public offence. ^[44]
New Hampshire	No		6 a.m.–1 a.m.	6 a.m.–11:45 p.m.	Yes	No	Liquor sold in state-run stores, many found at highway rest areas. 14% ABV cap on beer. State is wholesaler of wine. State taxes beer \$0.30/gal at the wholesale level.
New Jersey	No		Varies by municipality. Most municipalities have a last call of 2 a.m. Larger cities such as Newark, Hoboken, and Jersey City set their closing time at 3 a.m. Atlantic City and Brigantine serves 24 hours. Some dry towns in the southern part of the state, including Ocean City.	9 a.m.-10 p.m., unless bar/restaurant has license to permit Beer/Wine off-premises, then hours must be the same as on-premises hours	Rarely		Some dry communities in historically Methodist and Quaker communities in the southern part of the state. Though there is not a ban on selling alcoholic beverages at grocery stores, New Jersey limits each chain to two licenses, so except for a few exceptions, most supermarkets/convenience stores/gas stations/pharmacies do not sell alcoholic beverages. In addition, liquor sales are only permitted in a separate department or attached sister store. Bars are allowed to off-sale packaged goods. With the exception of Jersey City and Newark, all municipalities MUST allow off-sales of beer and wine at any time on-sales are pennitted. However, since alcoholic beverages are generally only found in package stores, this right is rarely exercised. Alcoholic beverages by the drink as well as off-sales of beer and wine are permitted 24 hours a day in Atlantic City and Brigantine.
New Mexico	No		7 a.m.–2 a.m., except Sundays,	7 a.m.–12 midnight	Yes		New Mexico issues two types of license for consumption on-premise: a full dispenser license

for establishments with full dispenser license. ^[45]	except Sundays ^[46]	allowing sale of all types of alcohol, or a restaurant license permitting sale of beer and wine only. An additional Sunday permit is available which allows sale (on and/or off premise) on Sundays from noon until midnight. Exceptions are the prohibition of alcohol sale on Christmas, regardless of the day it falls on, ^[47] and a Sunday permit allowing of sale (on and/or off premise) until 2:00 a.m. January 1, if December 31 falls on a Sunday. ^[48] Sunday permits are only available where approved by voters within a local option district. ^[49] Selling, serving and giving alcohol to a minor is a class 4 felony punishable by up to 18 months in prison.
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State	Alcoholic beverage control state			Alcohol sale hours		Grocery Store Sales			Notes
	Beer	Wine	Distilled spirits	On-premises	Off-premises	Beer	Wine	Distilled Spirits	
New York	No			8 am–4 am. Sundays Noon–4 am. Some counties have more restrictive hours.	Beer: Per state law, 24 hours/day. Wine & spirits: 9 am–midnight Mon–Sat, Noon–9 pm Sunday. Many counties have more restrictive hours, such as bans on beer sales overnight (hours vary).	Yes	No		Off-premises sale of wine and spirits is only at liquor stores, and beer is not sold at liquor stores; it must be sold at supermarkets and convenience stores. Exchanges for returned items are permitted (at store owners' discretion). ^[50] Some counties may retain the Sunday morning beer prohibition which the state discontinued as of July 30, 2006. Twelve dry towns, mostly in western region of state. All liquor stores must be owned by a single owner, who owns that store and lives within a certain distance of it — effectually banning chain liquor stores from the state. New York City law does not allow open containers of alcohol in public.
North Carolina	No		Yes	Yes	7 a.m. - 2 a.m. (Monday-Saturday) Noon - 2 a.m. (Sunday), no liquor sales on Sunday allowed.	Yes		No	15% ABV cap on beer, no known cap on wine. ^[51]
North Dakota	No			Noon - 2 a.m. Sundays 8 a.m. - 2 a.m. Mon-Sat	before 2.am. Thanksgiving Day	No			No off-sale on Thanksgiving Day. No Christmas Day on-sale, nor sales on Christmas Eve after 6 p.m.
Ohio	No		Yes	5:30 a.m. - 2:30 a.m.	5:30 a.m. - 1 a.m.	Yes, under 21% ABV			12% ABV cap on beer. 21% ABV cap on wine. The Division of Liquor Control does not operate retail outlets; it appoints private businesses to act as its agents and sell its products in exchange for a commission. Normal proof spirits (>21% ABV) are sold only in a limited number of agent stores. Many retail outlets sell diluted spirits (diluted by water to 21% ABV) under a more readily obtained permit. No intoxicating liquor shall be handled by any person under twenty-one years of age, except that a person eighteen years of age or older employed by a permit holder may handle or sell beer or intoxicating liquor in sealed containers in connection with wholesale or retail sales, and any person nineteen years of age or older employed by a permit holder may handle intoxicating liquor in open containers when acting in the capacity of a server in a hotel, restaurant, club, or night club. ^[52] Alcohol can be sold/given to people under the age of eighteen if given by a physician in the regular line of his practice or given for established religious purposes, or the underage person is accompanied by a parent, spouse who is not an underage person, or legal guardian. ^[53]
Oklahoma	No			6 a.m. to 2 a.m.	10 a.m. to 9 p.m. (Mon-Sat)	3.2 in grocery stores and gas stations all above 3.2% in	No		4.0% ABV/3.2 ABW or higher only sold at room temperature in liquor stores, Liquor Stores closed on Sundays and some holidays. As of 2007, liquor stores are now open on election days. State law prohibits public intoxication, many counties and cities also prohibit public intoxication.

					Retail Package Stores		
Oregon	No	Yes	7 a.m. to 2:30 a.m.	7 a.m. to 2:30 a.m. ^[54]	Yes	No	<p>Liquor, all of which is state-owned prior to sale to consumers, is sold in private liquor stores. These stores are approved by Oregon's Liquor Commissioners to act as sales agents on the state's behalf.</p> <p>Oregon Liquor Control Commission (http://www.oregon.gov/OLCC/index.shtml)</p>
Pennsylvania	No	Yes	<p>As of 2012, Sunday sales at hotels and restaurants are permitted from 9:00am ET until 2:00am ET Monday only with a special annual permit and whose sales of food and non-alcoholic beverages are at least 30% of total sales.^[55]</p> <p>Private clubs can serve alcohol from 7:00 a.m. till 3:00 a.m. Sales of alcohol have to stop at 3:00 a.m.^[56]</p>	<p>State stores hours vary from 9 a.m. to 10 p.m. Mon-Sat and always noon until 5 p.m. Sunday.^[57]</p>	No		<p>Wine and spirits can only be sold at State-operated stores. All persons must be at least 21 years of age to enter a state-operated liquor store alone. Beer is not sold at state-operated liquor stores.</p> <p>Beer can be purchased at beverage outlets (cases only), or restaurants (six-packs/restricted quantities) with Liquor Control Board-issued licenses, but not supermarkets. Non-alcoholic beer is an exception, and may be sold in supermarkets, but persons buying it still must be at least 21 years of age.</p> <p>Sunday sales were prohibited in LCB stores until 2003 (selected locations) and beverage outlets (owner's option) until 2005.</p> <p>There are currently seven state liquor stores located within supermarkets.</p> <p>In 2010, a trial was initiated to test selling wine in grocery stores using vending machines. The buyer must present identification, look into a camera to allow an offsite PLCB employee to verify the identification, and blow into a breathalyzer to authorize the sale.^[58] This practice was ended in September 2011.^[59]</p> <p>As of 2007, some convenience stores and grocery stores were trying to fight Pennsylvania's strict laws on the sale of alcohol.^{[60][61][62]} Since 2009, beer sales have been approved in multiple Western Pennsylvania locations of the grocery chains Giant Eagle and Wegmans. In addition, wine kiosks have also recently become available at multiple Giant Eagle locations in the Pittsburgh area.</p> <p>Special permits may be purchased for certain organizations for fundraisers once per calendar year, and are valid for a total of six days under the same rules governing restaurants.^[63] Grain alcohol prohibited as a beverage.</p>
Rhode Island	No		<p>1 a.m. seven days a week. 2 a.m. in Providence only on Friday and Saturday nights and nights before a state-recognized holiday.</p>	<p>(Mon-Sat) 9 a.m. - 10 p.m. (Sunday) 12 midday - 6 p.m.</p>	No		<p>All alcohol may be sold only in liquor stores.</p>
	No	Yes			Yes	No	

South Carolina		On-premise closing times are local option and are not set by the state.	24 hours for beer and low-alcohol wine, 9am-7pm Mon-Sat. at liquor stores. No alcohol sales on Election Day		14% ABW (17.5% ABV) cap on beer Wine > 16% ABV sold in liquor stores No hard liquor sales after 7 p.m. and none on Sundays. No off-premise alcohol sales after midnight Saturday until 7 a.m. Monday, except in Aiken, Greenville, Spartanburg, Horry County, Colleton County, Richland County, Charleston County/city, Beaufort County and York County. ^[64] No sales on election days at liquor stores.
South Dakota	No			Yes	14% ABV cap on beer

State	Alcoholic beverage control state			Alcohol sale hours		Grocery Stores			Notes
	Beer	Wine	Distilled spirits	On-premises	Off-premises	Beer	Wine	Distilled Spirits	
Tennessee	No			Mon-Sat: 8 a.m. to 3 a.m.; Sun: 12 midday to 3 a.m. Hours of alcohol sale can be modified by local jurisdictions if approved by the alcohol control commission.	7 a.m. to 3 a.m. Mon-Sat	Yes	No		Wine is only sold in liquor stores. Sales of liquor are limited to on-premises in restaurants on Sundays. Beer above 5% ABW / 6.3% ABV must be sold in liquor stores. Open container law only applies to drivers, not passengers. ^[65]
Texas	No			Monday-Friday: 7am-midnight Saturday: 7am-1am Sunday: 12 midday to 12 midnight. Some cities/counties permit sale until 2am (with license).	Beer/Non-hard liquor — 7 a.m. to midnight (Mon.-Fri.) 7 a.m. to 1:00 a.m. (Sat.) 12:00 p.m. to midnight (Sun.) Hard Liquor — 10 a.m. to 9 p.m. (Mon.-Sat.)	Yes	No		No alcohol cap but ABV > 15.5% requires additional license, so many places are beer/wine only. Wet/dry issues determined by city/county election. Liquor stores statewide closed all day Sunday. An alcoholic beverage served (on-premise) to a customer between 10 a.m. and noon on Sunday may only be provided during the service of food to the customer. 29 Texas counties are completely dry. ^[66] In many counties, public intoxication laws are vigorously (http://reason.com/blog/2010/02/26/texas-public-intoxication-laws) upheld.
Utah	Yes			Restaurants: Noon to midnight for liquor, 10:00 a.m. to 1:00 a.m. for beer. Bars may serve liquor from 10:00 a.m. to 1:00 a.m.	Varies by state liquor store hours	No		ABV > 4.0+% sold in state-controlled stores only. State-controlled stores close on Sundays and cease operations no later than 10 p.m. the rest of the week. Restaurants must buy from the state-controlled store (no delivery) at retail prices. No alcohol may be served on Election Day until 8 p.m. No alcohol is served in restaurants without purchase of food. A ban on 4.0% or below beer available on tap was repealed in March 2009. Sales of kegs prohibited.	
Vermont	No		Yes	8 a.m.–2 a.m.	6 a.m.–midnight	Yes	No		ABV > 16% beer and ABV > 16% wine are only available through state liquor stores. A

Virginia	No	Yes	6 a.m.–2 a.m. No restrictions at any time for club licensees.	6 a.m.–11:59 p.m. except local Blue Law.	Yes	No	2008 bill allows the sale of beer in grocery and convenience stores up to ABV 16%. Licensed supermarkets, convenience stores, and gas stations may sell beer and wine. Off-premises sales no later than 12 midnight. Numerous dry counties exist.
Washington	No		6 a.m.–2 a.m. A local government subdivision may fix later opening hours or earlier closing hours than those here specified		Yes		Beer and wine available in grocery stores, convenience stores, department stores, etc. Spirits available in stores greater than 10,000 sq ft (major grocery chains, big box stores, specialty shops, etc.). There are two exceptions to the 10,000 sq ft rule: 1) Former state stores and contract stores that have chosen to reopen under private ownership may also sell spirits provided they have been issued a new license from the state. 2) Cities, mostly in rural areas, that do not have a store that meets the minimum floor space may be allowed to sell spirits if the Liquor Control Board deems that there are no sufficient establishments within the trade area.
West Virginia	No	Yes	Beer/Wine: Mon-Sat:7 am-2 am, Sun:1 pm-2 am -- Liquor: Mon-Sun:8 am-Midnight, Sun: Prohibited	Mon-Fri:7 am-3:30 am, Sat: 7A-3:00A, Sun:1 pm-3 am	Yes	Yes	12% ABV Cap on Beer. 75% ABV spirits Permitted. Liquor, wine and beer products that are not already in closed packaging must be bagged before exiting retail locations. State no longer operates retail stores (formerly State ABC Stores); Number of privately owned stores restricted according to county or city population. All stores are state contracted; Bars and clubs must purchase liquor from state contracted private stores in person. State retains monopoly over wholesaling of distilled spirits only.
Wisconsin	No		6 a.m.–2 a.m. Sunday–Thursday, 2:30 a.m. Friday–Saturday, no closing time on New Year's Day.	6 a.m.–12 midnight for beer (some counties and municipalities only allow sales until 9 p.m. for beer), 6 a.m.–9 p.m. for liquor and wine	By local ordinance		Wisconsin permits the consumption of alcohol by minors, provided they are being supervised by parents/guardians/spouses. Most municipalities have a uniform 9 p.m. restriction on all alcohol sales. Notable exceptions: La Crosse, Maple Bluff (near Madison), Baraboo (near the Dells). Supermarkets, liquor stores, and gas stations may sell liquor, wine, and beer. Law changed effective 12/7/2011 to allow all liquor sales to begin at 6 a.m.
Wyoming	No	Yes	6.00 a.m.–2.00 a.m.		No		Clubs holding liquor licenses may be exempt from the hours of operation here specified by local ordinance or regulation of the appropriate licensing authority, but it doesn't seem to happen in practice
Puerto Rico	No				Beer, wine and spirits available for sale in supermarkets, convenience stores and drugs stores as well as liquor stores.		Minimum drinking age is 18. Dry law during elections and tropical storm emergencies Drinking on the street is illegal in San Juan (except in designated areas during selected street festivals) but not in all cities. Determined by municipal ordinance. Some Municipalities prohibit sales after midnight during weekdays and/or 2:00 during weekends.

See also

- Alcohol exclusion laws
- Last call
- Liquor store

- List of dry communities by U.S. state
- Open container
- Wine shipping laws in the United States
- Drunk driving in the United States
- Alcohol consumption by youth in the United States
- Shoulder tap

References

1. ^a ^b Alaska Alcoholic Beverage Control Board FAQ (<http://www.dps.state.ak.us/ABC/faq.aspx>) . Retrieved 2010-03-31.
2. [^] Alaska Alcoholic Beverage Control Board Local Option List (<http://www.dps.state.ak.us/ABC/docs/localopt.pdf>) . Retrieved 2010-03-31.
3. [^] "FAQ" (<http://www.azliquor.gov/faq.cfm>) . Arizona Department of Liquor Licenses and Control. <http://www.azliquor.gov/faq.cfm>. Retrieved 2012-08-03.
4. [^] Zalaznick, Matt. "Norwalk Liquor Stores Can Open Sunday" (<http://norwalk.dailyvoice.com/news/fairfield-county-liquor-stores-can-open-sunday>) . The Norwalk Daily Voice. <http://norwalk.dailyvoice.com/news/fairfield-county-liquor-stores-can-open-sunday>. Retrieved 13 July 2012.
5. [^] Smith, Alissa. "Norwalk Welcomes Sunday Liquor Sales" (<http://norwalk.dailyvoice.com/news/fairfield-county-welcomes-sunday-liquor-sales>) . The Norwalk Daily Voice. <http://norwalk.dailyvoice.com/news/fairfield-county-welcomes-sunday-liquor-sales>. Retrieved 26 July 2012.
6. ^a ^b ^c [1] (<http://abra.dc.gov/DC/ABRA/Education+and+Services/Knowledgebase/Frequently+Asked+Questions/Laws+and+Regulations#4>) DC ABRA Laws and Regulations FAQs
7. [^] [2] (<http://abra.dc.gov/DC/ABRA/Education+and+Services/Knowledgebase/Statements+of+Policy/Exception+to+Single+Sales+Moratorium>) DC ABRA Exception to Single Sales Moratorium
8. [^] District of Columbia Official Code § 25-722
9. [^] "Sunday alcohol sales begin in Winder" (<http://www.accessnorthga.com/detail.php?n=243552>) . AccessNorthGa. 2011-11-14. <http://www.accessnorthga.com/detail.php?n=243552>. Retrieved 2012-06-15.
10. [^] "FAQ" (<http://iowaabd.com/alcohol/features/faq>) . Iowa ABD. <http://iowaabd.com/alcohol/features/faq>. Retrieved 2012-06-15.
11. [^] "Current Active Agency Liquor Stores" (http://www.maine.gov/dps/liqr/active_agency_liquor_stores.htm) . *Maine Liquor Licensing and Compliance Division*. Augusta, ME, USA: Maine State Police. http://www.maine.gov/dps/liqr/active_agency_liquor_stores.htm. Retrieved December 12, 2011.
12. [^] "Maine Bureau of Alcoholic Beverages & Lottery Operations: Alcoholic Beverages" (http://www.maine.gov/dafs/bablo/alcohol_bev/index.shtml) . Maine Bureau of Alcoholic Beverages & Lottery Operations. http://www.maine.gov/dafs/bablo/alcohol_bev/index.shtml. Retrieved 29 June 2011.
13. [^] Massachusetts General Law M.G.L.-Chapter 138, Section 12 (<http://www.mass.gov/legis/laws/mgl/138-12.htm>)
14. ^a ^b ^c <http://www.mass.gov/legis/laws/mgl/138-33.htm> Massachusetts General Law M.G.L.-Chapter 138, Section 33
15. ^a ^b <http://www.mass.gov/legis/laws/mgl/138-15.htm> Massachusetts General Law M.G.L.-Chapter 138, Section 15
16. [^] "Massachusetts Alcoholic Beverages Control Commission (ABCC)" (<http://www.mass.gov/abcc/licensing.htm>) . Mass.gov. <http://www.mass.gov/abcc/licensing.htm>. Retrieved 2012-06-15.
17. [^] "Massachusetts Alcoholic Beverages Control Commission (ABCC)" (<http://www.mass.gov/abcc/retailsection15.htm>) . Mass.gov. <http://www.mass.gov/abcc/retailsection15.htm>. Retrieved 2012-08-01.
18. [^] 2012 ABCC Identification Card Advisory (http://www.mass.gov/abcc/pdf/idlawchange_with_id_pix.pdf)
19. [^] Code of Massachusetts Regulations, Chapter 204, Section 4.03 (<http://www.mass.gov/abcc/regs/reg2040403.htm>)
20. [^] Massachusetts General Law M.G.L.-Chapter 138, Section 1 (<http://www.mass.gov/legis/laws/mgl/138-1.htm>)
21. [^] Michigan Alcohol Laws [3] (<http://www.alcohollaws.org/michiganalcohollaws.html>) . Retrieved 2010-12-02.
22. [^] 340A.601, Minn. Stats. [4] (<https://www.revisor.mn.gov/statutes/?id=340A.601>) . Retrieved 2011-05-06.
23. [^] [5] (<http://www.clarionledger.com/article/20120409/NEWS010504/120409007/Bryant-signs-bill-allowing-stronger-beer->)
24. [^] Justin Roberts, "Missouri State and Local Open Container Laws," (<http://truman.missouri.edu/uploads/Publications/IPP%2030-2005%20.pdf>) University of Missouri Institute of Public Policy, June 2005
25. [^] Chapter 311, Revised Statutes of Missouri (R.S.Mo.)
26. [^] Section 311.020, R.S.Mo.
27. [^] Section 311.170, R.S.Mo.
28. [^] Section 311.174, R.S.Mo.
29. ^a ^b *Ibid*
30. [^] Section 311.176, R.S.Mo.
31. [^] Section 311.178, R.S.Mo.
32. [^] Section 311.200, R.S.Mo.
33. [^] Section 311.086, R.S.Mo.
34. [^] Section 311.310, R.S.Mo.
35. [^] Section 311.055, R.S.Mo.
36. [^] "Don't Try This at Home," Domestic Fuel: Alternative Fuel News: Archives, May 4, 2006 (<http://domesticfuel.com/?p=438>)
37. [^] 26 U.S.C. 5179
38. [^] 26 U.S.C. 5601
39. [^] 26 U.S.C. 5602
40. [^] 27 CFR Part 19
41. ^a ^b Chapter 312, R.S.Mo.
42. [^] Chapter 311 R.S.Mo.
43. [^] "Nebraska Bill 861" (<http://nebraskalegislature.gov/FloorDocs/Current/PDF/Intro/LB861.pdf>) . <http://nebraskalegislature.gov/FloorDocs/Current/PDF/Intro/LB861.pdf>. Retrieved 2010-06-03.
44. [^] "Nevada Revised Statutes: Chapter 458, Section 260" (<http://www.leg.state.nv.us/NRS/NRS-458.html#NRS458Sec260>) . <http://www.leg.state.nv.us/NRS/NRS-458.html#NRS458Sec260>. Retrieved 2007-05-10.
45. [^] NMSA 60-7A-1 Section A
46. [^] NMSA 60-7A-1 Section B
47. [^] NMSA 60-7A-1 Section D
48. [^] NMSA 60-7A-1 Section C,H
49. [^] NMSA 60-7A-1 Section E
50. [^] Frequently Asked Questions | New York State Liquor Authority (<http://www.sla.ny.gov/frequently-asked-questions#compliance7>)
51. [^] [44]
52. [^] "Ohio Revised Code" TITLE [43 (<http://codes.ohio.gov/orc/4301.22>) XLIII LIQUOR" CHAPTER 4301: LIQUOR CONTROL LAW"]. <http://codes.ohio.gov/orc/4301.22>. Retrieved 2007-10-18.
53. [^] "Ohio Revised Code" TITLE [43 (<http://codes.ohio.gov/orc/4301.631>) XLIII LIQUOR" CHAPTER 4301: LIQUOR CONTROL LAW"]. <http://codes.ohio.gov/orc/4301.631>. Retrieved 2010-08-19.

- 54. ^ [6] (http://www.oregon.gov/OLCC/docs/liquor_license_and_license_process/law_orientation/retailers_law_orientation_booklet.pdf)
 - 55. ^ http://www.pennlive.com/midstate/index.ssf/2011/12/pennsylvania_bill_to_expand_su.html
 - 56. ^ "Pennsylvania Liquor License Company" (<http://pennsylvanialiquorlicense.com/typesoflicenses.asp#1>) . Pennsylvanialiquorlicense.com.
<http://pennsylvanialiquorlicense.com/typesoflicenses.asp#1>. Retrieved 2012-06-15.
 - 57. ^ Liquor Control Board store search (<http://www.lcbapps.lcb.state.pa.us/app/Retail/storeloc.asp>)
 - 58. ^ http://news.yahoo.com/s/ap/20100708/ap_on_bi_ge/us_wine_vending_machines
 - 59. ^ <http://www.wgal.com/r/29242243/detail.html>
 - 60. ^ <http://www.wjactv.com/news/13994323/detail.html?rss=john&psp=news>
 - 61. ^ <http://www.weismarkets.com/easton-beer-sales/>
 - 62. ^ <http://wearecentralpa.com/content/fulltext?cid=7357>
 - 63. ^ <http://www.lcb.state.pa.us/plcb/cwp/view.asp?a=1327&q=556216&plcbNav>
 - 64. ^ <http://www.charlotteobserver.com/2012/11/06/3648466/york-county-council-chair-fends.html>
 - 65. ^ Tennessee Code Annotated Title 55 Chapter 10 Section 416 (http://www.michie.com/tennessee/lpext.dll?f=FifLink&t=document-frame.htm&l=jump&iid=d1e1460.70afae51.0.0&nid=cb0f#JD_55-10-416.)
 - 66. ^ "TABC Local Option Elections General Information" (http://www.tabc.state.tx.us/local_option_elections/index.asp) . Tabc.state.tx.us.
http://www.tabc.state.tx.us/local_option_elections/index.asp. Retrieved 2012-06-15.
38. <http://commerce.alaska.gov/dnn/abc/Resources/DryDampCommunities.aspx>

External links

- National Alcohol Beverage Control Association (<http://www.nabca.org/>)
- Alcohol Policy Information System (<http://www.alcoholpolicy.niaaa.nih.gov/>) , U.S. National Institute of Health
- Federation of Tax Administrators - State Excise Taxes (http://www.taxadmin.org/fta/rate/tax_stru.html)
- National Restaurant Association - State laws on alcohol sales (http://www.restaurant.org/pdfs/legal/state_alc.doc) (Word document)
- Alcohol and Public Health FAQ (<http://www.cdc.gov/alcohol/faqs.htm>) , U.S. Center for Disease Control and Prevention

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