

APPENDICES

APPENDIX A: Surveys

Federal funding supports a wide variety of surveys. Information about underage alcohol use, abuse, and consequences primarily comes from three federally funded surveys—the National Survey on Drug Use and Health (NSDUH), Monitoring the Future (MTF), and the national Youth Risk Behavior Survey (YRBS). Each of these surveys makes a unique contribution to our understanding of the nature of youth alcohol use. NSDUH assesses illicit drug, alcohol, and tobacco use among noninstitutionalized individuals who are 12 years old and older, and serves as the major Federal source of nationally representative data on substance use in the general population of the United States. MTF examines attitudes and behaviors of 8th, 10th, and 12th graders with regard to alcohol, drug, and tobacco use and provides important data on both substance use and the attitudes and beliefs that may contribute to such behaviors. YRBS examines risk behaviors among high school students and provides vital information on specific behaviors that cause the most significant health problems among American youth today.

These surveys sometimes differ in their findings. To address differences in youth substance use prevalence estimates generated by these surveys and to improve Federal policymakers' understanding of the influence of methodological differences on those estimates, the Office of the Assistant Secretary for Planning and Evaluation (ASPE) within the Department of Health and Human Services commissioned a group of recognized experts in survey design, sampling techniques, and statistical analysis to examine and compare the methodologies of the surveys. The resulting papers and accompanying Federal commentaries appear in a special issue of *Journal of Drug Issues* (Volume 31, Number 3, Spring 2001). Experts agreed that the overall methodology for each survey is strong, and that observed differences are not the result of flaws or serious weaknesses in survey design. In fact, some differences are to be expected—such as those resulting from home- vs. school-based settings. From a policy perspective, serious and complex issues such as youth alcohol use and related behavior often require examination and analysis from multiple perspectives. Because no one survey is absolute or perfectly precise, input from multiple sources is not only valuable, but necessary.

National Survey on Drug Use and Health

NSDUH, the primary source of illegal drug-use statistics for the United States population who are 12 years old and older, also collects information about alcohol use; use of tobacco products; trends in initiation of substance use; prevention-related issues; substance dependence, abuse, and treatment; and mental health. Initiated in 1971 and conducted annually since 1990, the survey collects data by administering questionnaires to individuals comprising a representative sample of the population through face-to-face interviews at their places of residence. Substance Abuse and Mental Health Services Administration (SAMHSA) sponsors the survey, and SAMHSA's Center for Behavioral Health Statistics and Quality (CBHSQ) plans and manages it. RTI International collects data under contract. NSDUH collects information from residents of households and noninstitutional group quarters (e.g., shelters, rooming houses, dormitories), and civilians living on military bases.

Since 1999, NSDUH has been conducted via computer-assisted interviewing. Most questions are administered with audio computer-assisted self-interviewing (ACASI), which provides

respondents with a highly private and confidential means of responding to questions. This method increases the level of honest reporting of illicit drug use and other sensitive behaviors. Less sensitive items are administered using computer-assisted personal interviewing (CAPI).

NSDUH provides estimates for each of the 50 States and the District of Columbia, as well as national estimates. Its design oversamples youth who are 12 to 17 years old and young adults who are 18 to 25 years old. For the 2010 survey, 68,487 interviews were completed for a weighted interview response rate of 74.7 percent. Prior to 2002, NSDUH was called the National Household Survey on Drug Abuse (NHSDA). Because of improvements in the survey in 2002, the 2002 data constitute a new baseline for tracking trends in substance use. Therefore, SAMHSA recommends that estimates from 2002 forward not be compared with estimates from 2001 and earlier years of NHSDA.

Monitoring the Future Study

MTF measures alcohol, tobacco, and illicit drug use, as well as perceived risk, personal disapproval, and perceived availability associated with each substance among nationally representative samples of students in public and private secondary schools throughout the conterminous United States. The National Institute on Drug Abuse (NIDA) supports MTF through a series of investigator-initiated grants to the University of Michigan's Institute for Social Research. Every year since 1975, a national sample of 12th graders has been surveyed. In 1991, the survey was expanded to include comparable numbers of 8th and 10th graders each year. It also administers followup surveys by mail to a representative sample of adults through age 50 from previous high school graduating classes, and to a representative sample of college students who are 1 to 4 years past high school. In 2010, 15,769 8th graders (88 percent response rate), 15,586 10th graders (87 percent response rate), and 15,127 12th graders (85 percent response rate) were surveyed. University of Michigan staff members administer the questionnaires to students, usually in their classrooms during a regular class period. Questionnaires are self-completed and formatted for optical scanning. In 8th and 10th grades, the questionnaires are completely anonymous. In the 12th grade, they are confidential (to permit the longitudinal followup of a random subsample of participants). Extensive procedures are followed to protect the confidentiality of subjects and their data.

Youth Risk Behavior Survey

In the United States in the late 1980s, only a limited number of health-related school-based surveys such as MTF existed; therefore, the Centers for Disease Control and Prevention (CDC) developed the Youth Risk Behavior Surveillance System (YRBSS) to monitor six categories of priority health-risk behaviors that contribute substantially to the leading causes of death, disability, and social problems among youth and young adults. YRBSS includes biennial national, State, and local school-based surveys of representative samples of students in grades 9 through 12, as well as other national and special-population surveys. The national survey—YRBS—is conducted by CDC with a target population comprising all public and private high school students in the 50 States and the District of Columbia. Education and health agencies conduct State and local surveys. The national sample is not an aggregation of the State and local surveys, and State and local estimates cannot be obtained from the national sample. In 2009, 16,410 students completed the national YRBS with an overall response rate of 71 percent.

Additional Surveys

Three additional federally supported surveys collect alcohol consumption and related information from a segment of the underage population—18- to 20-year-olds. First among these is The National Epidemiologic Survey on Alcohol and Related Conditions (NESARC), a large nationwide household survey sponsored by the National Institute on Alcohol Abuse and Alcoholism (NIAAA) and fielded by the Census Bureau. It assesses the prevalence of alcohol-use disorders and associated disabilities in the general population who are 18 years old and older. The first wave of this longitudinal survey was fielded in 2001 and lasted through 2002. The second wave of NESARC was conducted in 2005 among the individuals who participated in Wave 1; longitudinal information first became available in 2008.

Begun in the early 1980s and fielded every 2 to 4 years, the Worldwide Survey of Substance Abuse and Health Behaviors Among Military Personnel measures prevalence of substance use and health behaviors among active-duty military personnel on United States military bases worldwide. In 2005, the Department of Defense (DoD) initiated the DoD Lifestyle Assessment Program, which incorporates the active-duty health behaviors study and expands the scope to include the National Guard and Reserves, as well as other special studies. In 2006, a Reserves component of the survey was conducted. Data from the 2005 survey, now called the DoD Survey of Health Related Behaviors Among Active Duty Military Personnel, became available in December 2006. Data from the 2008 Active Duty Military Survey, the first of the surveys to include Coast Guard personnel, was released in December 2009. Analyses of the 2009–2010 DoD Survey of Health Related Behaviors Among Guard/Reserve Personnel are currently underway, and the 2011 DoD Survey of Health Related Behaviors Among Active Duty Military Personnel is currently in the field.

Begun in 1957, the National Health Interview Survey (NHIS) is an annual, multistage probability sample survey of households by United States Census Bureau interviewers for the CDC National Center for Health Statistics (Pleis & Lethbridge-Cejku, 2007). Information related to underage drinkers age 18 to 20 from these three surveys may be added to this Report in the future.

Association vs. Causation

In reviewing data related to risky behaviors and different categories of alcohol use, readers should keep in mind that association does not prove causation. Just because alcohol use is associated with other risky behaviors does not mean that it *causes* these other risky behaviors. Often, additional research is needed to establish alcohol as a causative factor.

Additional Methodological Caveats

When reviewing studies of the age of initiation of alcohol use, one must recognize that different researchers use different methods to describe initiation of drinking and to estimate the average age at first use of alcohol. In some cases, this has resulted in large differences in estimates, primarily due to differences in how age groups and time periods are specified in the calculations. The following examples will help readers understand these methodological differences.

A popular method for computing average age involves restricting the age group of estimation to persons who are 12 to 17 years old or 12 to 20 years old, with no restriction on the time period.

This method provides an estimate of the average age of first use among those in the age group who have used alcohol at some point in their lifetime, which typically results in a younger estimated average age of first use than other methods. This is because initiation occurring in older age groups is excluded from the calculation, and also because the calculation gives too much weight to very early initiation. For example, 15-year-olds who will first use at age 17 are excluded, since they have not yet used alcohol at the time of data collection. Thus, the 2003 NSDUH average age of first use among lifetime alcohol users who are 12 to 20 years old is 14.0 years; among 20-year-olds, 15.4 years; and among all lifetime drinkers, 16.8 years.

The method has limited utility for assessing trends because estimates do not reflect a well-defined recent period. A 20-year-old may have first used alcohol at age 10, so an average age of first use among 12 to 20-year-olds would span a period covering as many as 10 years. In addition to not reflecting the most current patterns, year-to-year change in this average is typically negligible due to the substantial overlap in the covered periods. Trends in average age of initiation are best measured by estimating the average age among those who initiated alcohol use during a specific period, such as a calendar year or within the 12 months prior to interview, in a repeated cross-sectional survey. These estimates can be made with or without age restrictions; for example, the average age of first use among persons in 2003 who initiated within the past 12 months was 16.5 years, but restricting the calculation to only those who initiated before age 21 results in an average age of 15.6. Based on the 2003 NSDUH, an estimated 11 percent of recent initiates were 21 years old or older when they first used.

Estimates of average age of first use among recent initiates based on the NSDUH sample of people 12 years old and older is biased upward because it does not capture initiation prior to age 12. The 2003 NSDUH estimated that 6.6 percent of alcohol initiates during 1990 to 1999 were 11 years old or younger. Excluding these early initiates from calculations inflates the estimate of average age by approximately half a year. This bias can be diminished by making estimates only for time periods at least 2 years prior (e.g., using the 2003 NSDUH, estimate the average age at first use for 2001, but not 2002), an approach used in previous NSDUH reports. Although this approach can provide interesting historical data, it does not give timely information about emerging patterns of alcohol initiation. Furthermore, there are serious bias concerns with historical estimates of the number of initiates and their average age at first use constructed from retrospectively reported age at first use. Older respondents are more likely not to remember accurately when an event occurred. An event may be remembered as having occurred more recently than it actually did—a “forward telescoping” of the recalled timing of events. Evidence of telescoping suggests that trend estimates based on reported age at first use may be misleading.

For example, in the 2006 MTF, alcohol use by the end of 6th grade was reported by 19.4 percent of 8th graders but only by 5.2 percent of 12th graders. Several factors, including telescoping, probably contribute to this difference. Eventual dropouts are more likely than average to drink at an early age; thus, they will be captured as 8th but not 12th graders. Lower grades also have lower absentee rates. Another factor relates to the issue of what is meant by first use of an alcoholic beverage. Students in 12th grade are more inclined to report use that is not adult-approved, and to not report having less than a glass with parents or for religious purposes. Younger students may be more likely to report first use of a limited amount of alcohol. Thus, 8th and 9th grade data probably exaggerate drinking while 11th and 12th grade data may understate it.

Web Sites for Data on Underage Drinking

These Federal Web sites can be useful to persons seeking data related to underage drinking:

1. Information from SAMHSA on underage drinking is available at <http://oas.samhsa.gov/underage.cfm>.
2. Information from the YRBS is available at <http://www.cdc.gov/HealthyYouth/yrbs/index.htm>.
3. Information from NHTSA on underage drinking and on drinking and driving is available at <http://www.nhtsa.gov/Impaired>.
4. Information from NIAAA on underage drinking is available at <http://www.niaaa.nih.gov/AboutNIAAA/NIAAASponsoredPrograms/underage.htm>.
5. Information from NIDA's MTF survey is available at <http://www.monitoringthefuture.org>.

APPENDIX B: Definitions of Variables

Underage Possession, Internal Possession, and Consumption

1. Conduct Is Prohibited

As of January 1, 2011, all subject to certain exceptions, listed below, all 50 States and the District of Columbia prohibit possession of alcoholic beverages by persons younger than 21; most jurisdictions prohibit consumption of alcoholic beverages for anyone younger than 21, and several jurisdictions have internal possession laws prohibit a person younger than 21 from having alcohol in her or his system as determined by a blood, breath, or urine test.

2. Exceptions Related to Family

- Parent/Guardian: Exception for minors when a parent or guardian consents and/or is present.
- Spouse: Exception for married minors when a spouse consents and/or is present.

Some jurisdictions limit the parent/guardian and/or spouse exceptions to specific locations.

3. Exceptions Related to Location

- In any private location
- In private residences
- In parent/guardian's home only

In some jurisdictions, the location exception is conditional on the presence and/or consent of the parent, legal guardian, or spouse.

Underage Purchase and Attempted Purchase

This Report uses two sets of variables for purchase of alcoholic beverages by those under age 21.

1. Purchase Prohibited

States may have provisions prohibiting actual or attempted purchase of alcoholic beverages by minors.

2. Exemption: Youth May Purchase for Law Enforcement Purposes

States may permit minors to possess and purchase alcohol for law enforcement purposes, typically as part of a program to check merchant compliance with underage drinking laws. A State may have this exemption even if it does not have a law specifically prohibiting underage purchase (making it an exemption to its underage possession law).

False Identification for Obtaining Alcohol

1. Provisions That Target Minors

Use of false identification (ID) prohibited

All States make it a criminal offense for minors to use a false ID when attempting to purchase alcoholic beverages.

License suspension

States may mandate or authorize the suspension or revocation of the minor's driver's license as a sanction for violating false ID laws. The suspension can occur through either an administrative or a judicial process. The State agency issuing the driver's license is responsible for administrative actions, which do not involve a judicial proceeding. Judicial suspensions occur as part of a court proceeding after the minor has been found guilty of violating the false ID law (and may be accomplished by a court order issued to the licensing authority). State law may authorize both types of processes. For further discussion of policies pertaining to the suspension or revocation for alcohol infractions of minor's licenses, see the "Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)" section of this Report.

2. Provisions That Target Suppliers

Lend/transfer/sell

States may prohibit lending, transferring, or selling valid government-issued IDs to persons to whom they do not belong.

Production

States may prohibit altering a valid ID or creating or manufacturing a false ID for the purpose of purchasing alcoholic beverages.

3. Retailer Support Provisions

Scanner

Some States provide incentives to retailers who use electronic scanners that read birth dates and other information digitally encoded on valid identification cards. Incentives may include an affirmative defense in prosecutions for sales to minors if the retailer can show that the scanner was used properly.

Distinctive licenses

States may have a law or regulation that makes driver's licenses for persons younger than 21 years of age easily distinguishable from adult licenses (e.g., by having the picture in profile for one and frontal for the other).

Seizure of an identification document

States may permit retailers to seize apparently false IDs without fear of prosecution even if the identification is valid. The retailer must act reasonably or in good faith (the standard may vary by State) in order to avoid prosecution.

Affirmative defense

States may grant retailers a defense in a prosecution involving an illegal alcohol sale to a minor based on the retailers' belief that the minor was of age. There are two types of affirmative defenses:

- **Specific:** The retailer inspected the false ID and came to a reasonable conclusion that it was valid.
- **General:** The retailer came to a good faith or reasonable decision that the minor was of age without necessarily inspecting an ID.

Right to sue minor

States may allow a retailer the right to sue a minor who uses a false ID to purchase alcohol for any losses or fines suffered by the retailer as a result of the illegal sale.

Detention of minor

State law may give retailers the authority to detain minors who use false IDs to purchase alcohol. This authority may protect the retailer from liability for false arrest, false imprisonment, slander, or unlawful detention.

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)

1. BAC Limit

Blood alcohol concentration (BAC) is a measure of the amount of alcohol in a person's bloodstream. Although BAC is commonly expressed as a percentage, State laws generally specify BAC levels in terms of grams of alcohol per 100 milliliters of blood (often abbreviated as grams per deciliter, or g/dL). BAC limits for young drivers vary among jurisdictions.

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)

1. Types of Violations Leading to License Suspension or Revocation

Types of violations for which a young person's license may be suspended or revoked include:

- Purchase of alcohol.
- Possession of alcohol.
- Consumption of alcohol.

2. Upper Age Limit

The upper age limit is the age below which the license suspension/revocation sanction applies.

3. Authority To Impose License Sanction

Whether State authority to impose driver's license sanctions for underage alcohol violations is mandatory or discretionary.

4. Length of Suspension/Revocation

The minimum and maximum number of days of suspension or revocation specified in statutes or regulations. Some States make penalties discretionary but specify periods of time for suspension or revocation.

Graduated Driver Licenses

1. Learner Stage***Minimum entry age***

The minimum age at which drivers can operate vehicles in the presence of parents, guardians, or other adults, after all administrative prerequisites of the law in a particular jurisdiction are met,

including driver education. This variable does not include the age at which drivers may get permits for the limited purpose of driving only with instructors.

Minimum mandatory holding period

The time period (in months) that learners' permits must be held before drivers advance to the intermediate stage of the licensing process.

Minimum supervised driving

The minimum number of hours drivers must log in the presence of parents, guardians, or adults before advancing to the intermediate stage of the licensing process.

2. Intermediate Stage

Minimum age

The earliest age at which drivers become eligible to drive without adult supervision, after meeting all administrative prerequisites of the laws of individual jurisdictions, including driver education.

Unsupervised night driving prohibited

The starting hour at which adult supervision is required.

Primary enforcement of night driving restrictions

Law enforcement officers may stop drivers, even if the only basis for the stop is a suspected violation of unsupervised night-driving-hour provisions of GDL laws.

Passenger restrictions

The total number of passengers allowed in vehicles driven by intermediate-stage drivers.

Primary enforcement of passenger restrictions

Law enforcement officers may stop drivers even if the only basis for the stop is a suspected violation of the passenger restriction provisions of GDL laws.

3. License Stage

Minimum age to lift restrictions

Minimum age for full licensure privileges and the lifting of passenger and night-driving restrictions.

Furnishing of Alcohol to Minors

1. Prohibition against Furnishing of Alcoholic Beverages to Minors

All States make it illegal to furnish alcoholic beverages to minors; most States allow exceptions.

Parent, guardian, or spouse exception

Some States allow exceptions when a parent/guardian or spouse supplies the alcoholic beverage.

Location limits to exceptions

Some jurisdictions limit the parent, guardian, and/or spouse exception to specific locations. All of these location exceptions are conditional on the presence and/or consent of the parent, legal guardian, or spouse. Location limits related to exception may include in any private location, in private residences, and/or in a parent/guardian's home only.

2. Affirmative Defense for Sellers and Licensees

Minor not charged

Some State laws include provisions requiring that the seller/licensee be exonerated of charges of furnishing alcohol to a minor unless the minor involved is charged.

Compliance Check Protocols

1. Age of Decoy

Minimum—the minimum age a decoy may be to participate in a compliance check.

Maximum—the maximum age a decoy may be to participate in a compliance check.

2. Appearance of Decoy

General appearance requirements—for example, decoys must appear their chronological age to a reasonable person or dress appropriately for the geographical area, etc. Specific appearance requirements may apply to males and/or females.

3. ID Possession

Indicates whether a decoy must carry a valid ID, is prohibited to carry a valid ID, or may specify that the decision is discretionary.

4. Verbal Exaggeration of Age

Whether the decoy may verbally exaggerate their actual age.

5. Decoy Training

Formal training of decoys may be mandated. Brief reviews of guidelines and rules immediately prior to a compliance check are not considered formal training.

Commercial Furnishing: Penalty Protocols

1. Time Period

Many States establish a time period for defining second, third, and subsequent offenses. If the subsequent offense occurs outside of this time period, the infraction is considered a first offense, and enhanced penalties for multiple offenses will not apply.

2. Number of Offenses

States define the minimum or maximum fine and days of suspension for each additional offense within the specified time period and/or the age of the youth (if applicable).

Responsible Beverage Service (RBS)

1. Law Type

- **Mandatory**—States that require at least some alcohol servers/sellers, managers, and/or licensees to attend training.
- **Voluntary**—States that provide incentives to licensees for having their servers/sellers, managers, and/or licensed individuals participate in training programs.
- **No law**—States that have no statutory or regulatory provisions pertaining to mandatory or voluntary responsible beverage service training.

2. Mandatory States: Training Required

State provisions for mandatory programs vary widely in who must participate. The categories include licensees, managers, and servers/sellers, or combinations of these categories.

3. Voluntary States

States with voluntary programs may offer various types of incentives to encourage licensees to participate in responsible beverage service training programs. States may offer some or all of the following incentives:

- Defense in dram shop liability lawsuits.
- Discounts in dram shop liability insurance.
- Mitigation of fines or other administrative penalties for sales to minors or sales to intoxicated persons.
- Protection against license revocation for sales to minors or sales to intoxicated persons.

4. Application of RBS Training

Mandatory or voluntary RBS training provisions may apply to on-premises establishments, off-premises establishments, or both. They may apply to new licensees, existing licensees, or both. In some cases, States do not specify whether the provisions apply to either or both.

Minimum Ages for On-Premises Servers and Bartenders

1. Minimum Ages

To serve

The minimum age specified for on-premises servers of beer, wine, and spirits.

To bartend

The minimum age specified for bartenders to sell or dispense beer, wine, and spirits.

2. Manager or Supervisor Must Be Present

A requirement that managers or supervisors be present when underage persons are serving or dispensing alcoholic beverages.

Minimum Ages for Off-Premises Sellers

1. Minimum Age to Sell

Minimum age specified by statute or regulation for off-premises sellers of beer, wine, and spirits.

2. Manager or Supervisor Must Be Present

A requirement, beyond those otherwise mandated for all sellers in a jurisdiction, that a manager or supervisor be present when underage persons are selling alcoholic beverages.

Dram Shop Liability

States are coded for the existence of statutory dram shop liability and/or common law liability. A dram shop liability designation in a State report signifies that the State allows lawsuits by injured

third parties against alcohol retailers for the negligent furnishing of alcohol to a minors.

Common law liability assumes the following procedural and substantive rules:

- A negligence standard applies (i.e., the defendant was negligent because he/she did not act as a reasonable person would be expected to act in like circumstances). Plaintiffs do not need to show that the defendant acted intentionally, willfully, or with actual knowledge of the minor's underage status.
- Damages are not arbitrarily limited. If successful in establishing negligence, the plaintiff receives actual damages and has the possibility of seeking punitive damages.
- Plaintiffs can pursue claims against defendants without regard for the age of the person that furnished the alcohol and the age of the underage person furnished with alcohol.
- Plaintiffs must only establish that the minor was furnished alcohol and that furnishing contributed to injury without regard to the minor's intoxicated state at the time of the sale.

The plaintiff must establish the key elements of the lawsuit by the "preponderance of the evidence" rather than a more rigorous standard (such as the "beyond a reasonable doubt" usually applied in criminal cases).

A statutory liability "yes" code indicates that dram shop liability exists through statutory enactment. Three types of limitations are coded:

- Limitations on damages – statutory caps on the total dollar amount that may be recovered through a dram shop lawsuit.
- Limitations on who may be sued – factual requirement that persons furnishing alcohol are above a certain age, or that underage persons furnished with alcohol are below a certain age.
- Limits on elements or standards of proof – legislative requirements that plaintiffs prove additional facts or meet a more rigorous standard of proof than would normally apply in common law. These can include:
 - Requiring proof that the retailer had knowledge that the minor was underage or that the retailer "willfully served" the minor;
 - Allowing recovery only if the minor was intoxicated or obviously intoxicated at the time of furnishing;
 - Requiring "clear and convincing" evidence or "evidence beyond a reasonable doubt" for the plaintiff to prevail.

If no limitations are listed, the statute imposes common law standards.

A responsible beverage service (RBS) defense notation indicates that the dram shop statute has a provision that allows retailers to avoid liability. Affirmative defenses provide that retailers can avoid liability if they can demonstrate that they had implemented RBS Training programs and that the retailers' staff had followed RBS procedures at the time of the incidents. Complete defenses allow retailers to avoid liability by showing only that they attended RBS training.

Note that States may impose other restrictions on dram shop liability claims. This report does not track potentially additional limitations, including:

- The ability of minors who were furnished alcohol to sue the alcohol retailers for self-inflicted injuries, termed "first-party claims."
- The ability of the minors' companions to sue the retailers.

- The existence of various defenses (e.g., contributory or comparative negligence) or procedural requirements (e.g., notice provisions and shortened statute of limitation periods) that may affect the outcome of the litigation.

Social Host Liability

States are coded for the existence of statutory social host liability and/or common law liability. A social host liability designation in a State report signifies that the State allows lawsuits by injured third parties against social hosts for the negligent furnishing of alcohol to minors.

Common law liability assumes the following procedural and substantive rules:

- A negligence standard applies (i.e., defendants did not act as reasonable persons are expected to in like circumstances). Plaintiffs do not need to show that defendants acted intentionally, willfully, or with actual knowledge of the minors' underage status.
- Damages are not arbitrarily limited. If successful in establishing negligence, plaintiffs receive actual damages and can seek punitive damages.
- Plaintiffs must only establish that minors were furnished alcohol and that the furnishing contributed to the injury, without regard to the minors' intoxicated state at the time of furnishing.
- Plaintiffs must establish key elements of lawsuits by "preponderance of the evidence" rather than a more rigorous standard (e.g., "beyond a reasonable doubt" in criminal cases).

A statutory liability "yes" code indicates that social host liability exists through statutory enactment. Three types of limitations are coded:

- Limitations on damages – statutory caps on the total dollar amount that may be recovered through social host lawsuits.
- Limitations on who may be sued – factual requirement that persons furnishing alcohol are above or that underage persons furnished with alcohol are below a certain age.
- Limits on elements or standards of proof – legislative requirements that plaintiffs prove additional facts or meet a more rigorous standard of proof than would normally apply in common law. These can include:
 - Proof that social hosts had knowledge that minors were underage or that social hosts "willfully served" minors.
 - Allowing recovery only if minors were intoxicated at the time of furnishing.
 - Clear and convincing evidence or evidence beyond a reasonable doubt.

If no limitations are listed, the statute imposes common law standards.

Note that States may impose other restrictions on social host liability claims. This report does not track potentially additional limitations, including:

- The ability of minors who were furnished alcohol to sue the social hosts for self-inflicted injuries – "first party claims."
- The ability of the minors' companions to sue the social hosts.
- The existence of various defenses (e.g., contributory or comparative negligence), or procedural requirements (e.g., notice provisions and shortened statute of limitation periods) that may affect the outcome of litigation.

Prohibitions Against Hosting Underage Drinking Parties

1. Statutes Specific to Underage Parties or General Statutes

“Specific” statutes explicitly address underage drinking parties by making reference to the words “party,” “gathering,” “open house,” “hosting,” and similar terms with respect to property owned, leased, or otherwise controlled by the social host. “General” statutes prohibit individuals from allowing or permitting underage drinking on their properties generally, without reference to parties, gatherings, or a similar term. “General” laws have a broader scope than underage drinking parties (e.g., they may also prohibit adults from allowing minors to consume alcohol in settings other than the adult’s home), but are applicable to underage drinking parties.

2. Action by Underage Guests

This variable identifies the specific underlying activity by underage guests that triggers violations. Underage guests must possess, consume, and/or have the intention to possess or consume to trigger a violation.

3. Property Type

Jurisdictions vary regarding the types of property covered by host party laws, including residences, outdoor property, or other sorts of property such as a shed, garage, or other outbuilding, or a hotel or motel room, campground, or other public site.

4. Knowledge Standard

Host party statutes set varying thresholds for hosts’ knowledge or action regarding an underage drinking party on property they control. Liability is imposed by the State only if the knowledge standard set in the statute is satisfied. In this analysis, the varieties of knowledge standard include overt acts, actual knowledge, negligence (the host knew or should have known of the event’s occurrence), or recklessness which imposes liability where a host may not have acted with actual knowledge but instead with intentional disregard for the probable consequences of her or his actions.

5. Preventive Action Negates Violation

In some jurisdictions, preventative action of various sorts by the social host may negate State-imposed liability. This analysis only notes that some jurisdictions permit preventative action to negate violations, but does not identify the specific actions that would do so as those vary widely across jurisdictions.

6. Exceptions to Underage Guest Requirement

Some jurisdictions with host party laws have exceptions in their statutes for family members or other persons, or for other uses or settings involving the handling of alcoholic beverages.

Direct Shipments/Sales

1. Direct Sales/Shipments From Producers to Consumers Are Permitted, Specified by Beverage

Some producers are permitted to ship directly to individuals via common carriers. If permitted, the type(s) of alcoholic beverages allowed to be shipped are indicated (beer, wine, and/or

distilled spirits). Limitations on the amount that may be shipped or received and the types of producers who may ship are not recorded unless the limitations are so severe as to constitute a practical ban on direct shipments.

2. Age Verification Requirements

If a requirement is not listed, it does not exist for the particular jurisdiction:

- Purchasers must make mandatory trips to producers (for age verification purposes) before delivery can be authorized.⁴⁴
- Producers/shippers must verify age of purchasers prior to sale. (The relevant legal provision requires affirmative action to verify the ages of purchasers.)
- Common carriers (deliverers) must verify age of recipients prior to delivery. (The relevant legal provision requires affirmative action to verify the ages of the purchasers.)

3. State Approval/Permit Requirements

If a requirement is not listed, then it does not exist for the particular jurisdiction.

- Producers/manufacturers must obtain licenses or permits from a State agency prior to shipping directly to consumers.
- Common carriers must be approved by a State agency.

4. Recording/Reporting Requirements

If a requirement is not listed, then it does not exist for the particular jurisdiction.

- Producers/manufacturers must record/report purchasers' names for possible inspection by a State agency.
- Common carriers must record/report recipients' names for possible inspection by a State agency.

5. Shipping Label Requirements

There are two possible text requirements for the label used to ship alcohol to consumers. If a requirement is not listed, then it does not exist for the particular jurisdiction.

- Package contains alcohol.
- Recipient must be 21 years of age.

Keg Registration

1. Definition of a Keg

In most States, kegs are defined by minimum volume in gallons. In some States, an exact volume is specified; in other States, the volume may be defined as “greater than,” “greater than or equal to,” “less than” or “less than or equal to” some volume. In a small number of cases, no definition of keg is established by statute or regulation.

⁴⁴ Laws that require face-to-face transactions for all sales prior to delivery are treated as prohibitions on direct sales/shipments.

2. Prohibited

Some States stipulate that a person may not:

- Possess unregistered or unlabeled kegs.
- Destroy the label on a keg.

Where such prohibitions exist, statutes or regulations may specify a maximum penalty in terms of jail time, fine, or both.

3. Purchaser Information Collected

In some States, information on purchasers of kegs is collected at the time of sale. This information may include any combination of the following: (1) names; (2) driver's license or other government-issued identification number; or (3) addresses at which kegs will be consumed. Variations on how the information is gathered may include:

- The retailer is required to record purchasers' identification number or the forms of identification presented by purchasers together with the purchasers' names, addresses, and dates of birth.
- The purchasers' names and addresses must be recorded as they appear on identification produced by purchasers.

4. Warning Information to Purchaser

Some States require that warning information be presented to purchasers concerning violation of any laws related to keg registration. These warnings can address prohibitions such as serving alcohol to minors or failing to register kegs properly. The warning may be active (requiring an action on the part of the purchaser—e.g., signing a document) or passive (requiring no action on the part of the purchaser).

5. Deposit Required by Statute or Regulation

In addition to deposits that may be required by the vendor, some States require deposits as part of their keg registration policies. These deposits may be on the kegs themselves, the tapper mechanisms used to serve the beer, or both, and are refundable when empty kegs and/or tappers are returned to the merchant. In some cases, multiple deposits may be specified depending on the size of the kegs.

6. Disposable Kegs

Disposable kegs (meant to be disposed of when empty) complicate keg registration laws, as they cannot be easily tagged or traced. Some States currently address disposable kegs by statute or regulation, and others do not.

Home Delivery

States may prohibit, permit, or permit with restrictions the delivery of beer, wine, and or spirits. States may also have no law regarding delivery of any or all of these beverages.

Variable 1a — Beer

1. Home Delivery of Beer is *Prohibited*
2. Home Delivery of Beer is *Restricted* (restrictions described in Beer Notes field)

3. Home Delivery of Beer is *Permitted*
4. No Law

Variable 1b — Wine

1. Home Delivery of Wine is *Prohibited*
2. Home Delivery of Wine is *Restricted* (Restrictions described in Wine Notes field)
3. Home Delivery of Wine is *Permitted*
4. No Law

Variable 1c — Spirits

1. Home Delivery of Spirits is *Prohibited*
2. Home Delivery of Spirits is *Restricted* (Restrictions described in Spirits Notes field)
3. Home Delivery of Spirits is *Permitted*
4. No Law

Alcohol Taxes

For this policy, taxes are reported for an *index beverage* that represents the largest market share for beer (5 percent alcohol by volume), wine (12 percent alcohol by volume), and spirits (40 percent alcohol by volume). Taxes are not reported for states where the index beverage is wholly or partially sold in State-run retail stores or through State-run wholesalers. In these cases, the State sets a price that is some combination of cost, mark-up, and taxes. It is not possible to determine the dollar value assigned to each of these components. Such States are reported as CONTROL.

Beer

1. **Specific Excise Tax** – Tax per gallon on beer of 5 percent alcohol
2. **Ad Valorem Excise Tax (On-Premises Sales)** – Tax on total receipts for beer of 5 percent alcohol
3. **Ad Valorem Excise Tax (Off-Premises Sales)** – Tax on total receipts for beer of 5 percent alcohol
4. **Notes include:**
 - A listing of taxes on beer in the range of 3.2 percent to 6 percent alcohol, in addition to those taxes reported in variables 1-3.
 - Whether ad valorem excise taxes are applied at the wholesale or retail level – only wholesale is noted. If there is no note, the tax is applied at retail.
 - A notation in States where sales tax is NOT levied when ad valorem excise taxes are levied. This notation gives the sales tax rate and the “sales tax adjusted retail ad valorem excise tax(es)” calculated as the on- and/or off-premises retail ad valorem excise tax minus the (unlevied) sales tax.

Wine

1. **Specific Excise Tax** – Tax per gallon on wine of 12 percent alcohol
2. **Ad Valorem Excise Tax (On-Premises Sales)** – Tax on total receipts for wine of 12 percent alcohol

3. **Ad Valorem Excise Tax (Off-Premises Sales)** – Tax on total receipts for wine of 12 percent alcohol
4. **Notes include:**
 - A listing of taxes on wine in the range of 6 percent to 24 percent alcohol in addition to those taxes reported in variables 5-7.
 - Whether ad valorem excise taxes are applied at the wholesale or retail level – only wholesale is noted. If there is no note, the tax is applied at retail.
 - This notation gives the sales tax rate and the “sales tax adjusted retail ad valorem excise tax(es)” calculated as the on- and/or off-premises retail ad valorem excise tax minus the (unlevied) sales tax.

Spirits

1. **Specific Excise Tax** – Tax per gallon on spirits of 40 percent alcohol
2. **Ad Valorem Excise Tax (On-Premises Sales)** – Tax on total receipts for spirits of 40 percent alcohol
3. **Ad Valorem Excise Tax (Off-Premises Sales)** – Tax on total receipts for spirits of 40 percent alcohol
4. **Notes include:**
 - A listing of taxes on spirits in the range of 15 percent to 50 percent alcohol in addition to those taxes reported in variables 9-11.
 - Whether ad valorem excise taxes are applied at the wholesale or retail level – only wholesale is noted. If there is no note, the tax is applied at retail.
 - This notation gives the sales tax rate and the “sales tax adjusted retail ad valorem excise tax(es)” calculated as the on- and/or off-premises retail ad valorem excise tax minus the (unlevied) sales tax.

Low-Price, High-Volume Drink Specials

Free Beverages

1. Prohibited
2. Not prohibited (notes identify States that allow a licensee to offer a free drink on a case-by-case basis *only*—e.g., on a birthday or anniversary, as compensation for poor services, etc.)

Multiple Servings at One Time

1. Prohibited
2. Not prohibited (if a State only prohibits “more than two servings” but allows the customer to possess two servings at one time, then this State is not counted as Not Prohibiting “multiple servings.” Also, drinks customarily sold in conjunction with another drink are each considered a separate drink. Notes identify States that do not prohibit multiple servings at one time, but place restrictions on this practice.)

Multiple Servings for a Single Serving Price (e.g., two-for-one, three-for-one)

1. Prohibited
2. Not prohibited (notes identify States that do not prohibit multiple servings for a single serving price, but place restrictions on this practice. There are currently no notes for this variable.)

Happy Hours—Reduced Price

1. Prohibited
2. Restricted (otes identify hours when happy hours—reduced price may not be offered)
3. Not prohibited

Unlimited Beverages for Fixed Price or Period (e.g., all-you-can-drink, beat-the-clock)

1. Prohibited
2. Not prohibited (Notes identify States that do not prohibit unlimited beverages for a fixed price or period, but place restrictions on this practice.)

Increased Volume Without Increase in Price

1. Prohibited
2. Not prohibited (Notes identify hours when double or triple shots for a single serving price may not be offered.)

Wholesaler Pricing Restrictions

For this policy, an index beverage has been selected: beer (5 percent), wine (12 percent), and spirits (40 percent). If the index beverage is controlled, in whole or in part, by the State at the wholesale level, the State is coded as CONTROL, and no additional coding is displayed.

Beer, Wine, Spirits

1. *Pricing restrictions exist*
 - a. Yes
 - b. No (no further coding is provided)
2. *Volume Discounts*—wholesalers are allowed to offer a discount to retailers for the purchase of large quantities.
 - a. *Banned*—wholesalers are not allowed to offer a discount to retailers based on volume or quantity. The notes field briefly summarizes applicable statutes and regulations.
 - b. *Restricted*—there is a limit on the quantity for which a discount may be offered. The notes field briefly summarizes applicable statutes and regulations.
 - c. *Uncertain*—due to case law (on-going court cases affect the application of the volume discounts). The notes field briefly summarizes applicable court cases.
 - d. *No law*
3. *Minimum Markup, Maximum Discount*—wholesalers must establish a minimum markup or maximum discount for each product sold to retailers and/or are prohibited from selling any product below cost.
 - a. *Yes*—wholesalers may not sell below costs or must establish a minimum markup or maximum discount for each product sold to retailers. The notes field briefly summarizes applicable statutes and regulations. Collected laws include only those specific to beverage alcohol.
 - b. *Uncertain*—due to case law (ongoing court cases affect the application of minimum markup, maximum discount). The notes field briefly summarizes applicable court cases.
 - c. *No law*
4. *Post and Hold*—wholesalers must publicly “post” prices of their alcohol products (i.e., provide a list of prices to a State agency or notification to customers and the public for

review by the public, including retailers and competitors) and may not reduce these prices for a set amount of time.

- a. *Post and Hold*—both posting of prices and holding (i.e., not reducing) prices for a specified period of time is required. The notes field indicated the minimum “hold” time and briefly summarizes applicable statutes and regulations.
 - b. *Post*—posting is required but a “hold” period is not stated or is not clearly defined. The notes field briefly summarizes applicable statutes and regulations.
 - c. *Uncertain*—due to case law (ongoing court cases affect the application of post and hold). The notes field briefly summarizes applicable court cases.
 - d. *No law*
5. *Retailer Credit Permitted*—loans from wholesalers to retailers are permitted and/or the period of time required for retailers to pay invoices is specified.
- a. *Yes*—the notes field indicates the maximum time credit can be extended and briefly summarizes applicable statutes and regulations.
 - b. *No*—transactions must be in cash or payment is due prior to or at the time of delivery. The notes field briefly summarizes applicable statutes and regulations.
 - c. *Uncertain*—due to case law (ongoing court cases affect the application of retailer credit restrictions). The notes field briefly summarizes applicable court cases.
 - d. *No Law*

APPENDIX C: State Report Citations

For each State, overall population information is taken from 2010 Census data. Data about the portion of each State's population comprised of 12- to 20-year-olds is averaged from 2007, 2008, 2009, and 2010 *National Survey on Drug Use and Health* (NSDUHs); SAMHSA's Center for Behavioral Health Statistics and Quality (CBHSQ); and *National Survey on Drug Use and Health* (NSDUH, special data analysis, 2011), as are facts about past-month alcohol use and binge use. The confidence intervals for these estimates are available from SAMHSA/CBHSQ/DPS on request. National Vital Statistics System (NVSS) data from 2001 through 2005 (CDC, NCHS, NVSS, 2001–2005) serves as the resource for data about alcohol-attributable deaths among people who are younger than 21 years old, and the Centers for Disease Control and Prevention's (CDC) Alcohol-Related Disease Impact (ARDI) software provides the details presented for each State on years of potential life lost as a result of underage fatalities (http://apps.nccd.cdc.gov/DACH_ARDI/Default/Default.aspx). The National Center for Statistics and Analysis (NCSA) provides a Fatality Analysis Reporting System (FARS), from which 2009 data were used to present statistics about fatalities among 15- to 20-year-old drivers.

Legal citations for the following policies can be obtained from the Alcohol Policy Information System (APIS) Web site. Go to <http://www.alcoholpolicy.niaaa.nih.gov>. On the home page, click on the desired policy; on the policy page, click on the "data on a specific date" link. Scroll to the desired State, and click on the citation link in the citation column.

- Underage Possession of Alcohol
- Underage Consumption of Alcohol
- Internal Possession by Minors
- Underage Purchase of Alcohol
- False Identification for Obtaining Alcohol
- Blood Alcohol Concentration Limits: Youth (Underage Operators of Noncommercial Motor Vehicles)
- Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose Laws")
- Furnishing of Alcohol to Minors
- Responsible Beverage Service
- Minimum Ages for Off-Premises Sellers
- Minimum Ages for On-Premises Sellers
- Host Party Laws
- Keg Registration

Legal references for the following eight policies are listed below:

- Direct Shipments/Sales from Producers to Consumers
- Dram Shop Liability
- Drink Specials
- Graduated Drivers Licenses
- Home Delivery
- Social Host Liability
- Taxation of Alcohol
- Wholesale Pricing

Direct Shipment

Alabama

Ala. Code § 28-1-4.

Alaska

Alaska Stat. § 04.11.010; Alaska Stat. § 04.11.140; Alaska Stat. § 04.11.491; Alaska Stat. § 04.16.125; Alaska Admin. Code tit. 13, § 104.640, Alaska Admin. Code tit. 13, § 104.645.

Arizona

Ariz. Rev. Stat. § 4-101; Ariz. Rev. Stat. § 4-203.04; Ariz. Rev. Stat. § 4-205.04; Ariz. Admin. Code R19-1-221; Ariz. Admin. Code R15-3-403.

Arkansas

Ark. Code Ann. § 3-5-1602; Ark. Code Ann. § 3-7-106.

California

Cal. Bus. & Prof. Code § 23661.2; Cal. Bus. & Prof. Code § 23661.3.

Colorado

Col. Rev. Stat. § 12-47-104; Col. Rev. Stat. § 12-47-701.

Connecticut

Conn. Gen. Stat. § 30-16; Conn. Gen. Stat. § 30-18; Conn. Gen. Stat. § 30-18a; Conn. Gen. Stat. § 30-19f.

Delaware

Del. Code Ann. tit. 4, § 501; Del. Code Ann. tit. 4, § 526.

District of Columbia

D.C. Code Ann. § 25-102; D.C. Code Ann. § 25-772.

Florida

Fla. Stat. Ann. § 561.14; Fla. Stat. Ann. § 561.54; Fla. Stat. Ann. § 561.545; Fla. Stat. Ann. § 564.02.

Georgia

Ga. Code Ann. § 3-3-31; Ga. Code Ann. § 3-6-31; Ga. Code Ann. § 3-6-32; Ga. Comp. R. & Regs. 560-2-9-.02.

Hawaii

Haw. Rev. Stat. § 281-33.1; Haw. Rev. Stat. § 281-33.6.

Idaho

Idaho Code § 23-1309; Idaho Code § 23-1309A; Idaho Code § 23-1314.

Illinois

235 Ill. Comp. Stat. 5/5-1; 235 Ill. Comp. Stat. 5/6-8; 235 Ill. Comp. Stat. 5/6-16; 235 Ill. Comp. Stat. 5/6-29; 235 Ill. Comp. Stat. 5/6-29.1; 235 Ill. Comp. Stat. 5/8-12; Ill Admin. Code tit. 86, § 420.100.

Indiana

Ind. Code § 7.1-3-2-7; Ind. Code § 7.1-3-18-2; Ind. Code § 7.1-3-18-3; Ind. Code § 7.1-3-18-4; Ind. Code § 7.1-3-26-5; Ind. Code § 7.1-3-26-6; Ind. Code § 7.1-3-26-7; Ind. Code § 7.1-3-26-9; Ind. Code § 7.1-3-26-13.

Iowa

Iowa Code § 123.187; Iowa Code § 123.3; Iowa Code § 123.56; Iowa Code § 123.98.

Kansas

Kan. Stat. Ann. § 41-102; Kan. Stat. Ann. § 41-104; Kan. Stat. Ann. § 41-308a; Kan. Stat. Ann. § 41-350; Kan. Reg. 14-5-2; Kan. Reg. 14-11-23.

Kentucky

Ky. Rev. Stat. Ann. § 241.010; Ky. Rev. Stat. Ann. § 243.155; Ky. Rev. Stat. Ann. § 244.165 (The relevant subsections of these statutes have been held unconstitutional in the case of *Cherry Hill Vineyards, LLC v. Hudgins* (W.D.Ky. 2006) 488 F.Supp.2d 601, affirmed by *Cherry Hill Vineyards, LLC v. Lilly*, 553 F.3d 423, 424+ (6th Cir.(Ky.) Dec 24, 2008)).

Louisiana

La Rev. Stat. Ann. § 26:85; La Rev. Stat. Ann. § 26:359; La Rev. Stat. Ann. § 26:369; La. Admin Code tit. 61, pt. I § 201.

Maine

Me. Rev. Stat. Ann. tit. 28-A § 1403-A; Me. Rev. Stat. Ann. tit. 28-A, § 2077; Me. Rev. Stat. Ann. tit. 28-A, § 2077-B; Me. Rev. Stat. Ann. tit. 28-A, § 2075.

Maryland

Md. Ann. Code, art. 2B, § 7.5-101; Md. Ann. Code, art. 2B, § 7.5-102; Md. Ann. Code, art. 2B, § 7.5-103; Md. Ann. Code, art. 2B, § 7.5-104; Md. Ann. Code, art. 2B, § 7.5-105; Md. Ann. Code, art. 2B, § 7.5-106; Md. Ann. Code, art. 2B, § 7.5-107; Md. Ann. Code, art. 2B, § 7.5-108; Md. Ann. Code, art. 2B, § 7.5-109; Md. Ann. Code, art. 2B, § 7.5-110.

Massachusetts

Mass. Gen. Laws ch. 138 § 19F; Mass. Gen. Laws ch. 138 § 22; Mass. Regs. Code tit. 830, § 62C.25.1.

Michigan

Mich. Stat. Ann. § 436.1203.

Minnesota

Minn. Stat. § 340A.417.

Mississippi

Miss. Code Ann. § 67-1-9; Miss. Code Ann. § 67-1-41; Miss. Code Ann. § 97-31-47.

Missouri

Mo. Rev. Stat. § 311.185.

Montana

Mont. Code Ann. § 16-4-901; Mont. Code Ann. § 16-4-903; Mont. Code Ann. § 16-4-906.

Nebraska

Neb. Rev. Stat. § 53-103; Neb. Rev. Stat. § 53-103.01; Neb. Rev. Stat. § 53-103.02; Neb. Rev. Stat. § 53-103.03; Neb. Rev. St. § 53-103.23; Neb. Rev. Stat. § 53-103.37; Neb. Rev. Stat. § 53-103.38; Neb. Rev. Stat. § 53-123.11; Neb. Rev. Stat. § 53-123.15; Neb. Rev. Stat. § 53-124; Neb. Rev. Stat. § 53-130.01; Neb. Rev. Stat. § 53-192; Neb. Admin. R. & Regs. Tit. 237, Ch. 6, § 019; Neb. Admin. R. & Regs. Tit. 237, Ch. 7, § 002.

Nevada

Nev. Rev. Stat. § 202.015; Nev. Rev. Stat. § 202.055; Nev. Rev. Stat. § 369.040; Nev. Rev. Stat. § 369.111; Nev. Rev. Stat. § 369.180; Nev. Rev. Stat. § 369.181; Nev. Rev. Stat. § 369.430; Nev. Rev. Stat. § 369.450; Nev. Rev. Stat. § 369.464; Nev. Rev. Stat. § 369.466; Nev. Rev. Stat. § 369.468; Nev. Rev. Stat. § 369.490; Nev. Admin. Code ch. 369, § 016.

New Hampshire

N.H. Rev. Stat. Ann. § 175:1; N.H. Rev. Stat. Ann. § 178:14; N.H. Rev. Stat. Ann. § 178:27; N.H. Rev. Stat. Ann. § 178:29; N.H. Rev. Stat. Ann. § 179:5; N.H. Code Admin. R. Liq 1102.04; N.H. Code Admin. R. Liq 1103.02; N.H. Code Admin. R. Liq 1104.01; N.H. Code Admin. R. Liq 1104.02; N.H. Code Admin. R. Liq 1104.05; N.H. Code Admin. R. Liq 1105.01; N.H. Code Admin. R. Liq 1105.02.

New Jersey

N.J. Rev. Stat. § 33:1-2; N.J. Rev. Stat. § 33:1-10; 2004 N.J. Laws 102, § 2.

New Mexico

N.M. Stat. Ann. § 60-7A-3; N.M. Stat. Ann. § 60-7A-4; N.M. Stat. Ann. § 60-7A-8; N.M. Stat. Ann. § 60-6A-13.

New York

N.Y. Alco. Bev. Cont. § 79-c; N.Y. Alco. Bev. Cont. § 79-d.

North Carolina

N.C. Gen. Stat. § 18B-109; N.C. Gen. Stat. § 18B-1001; N.C. Gen. Stat. § 18B-1001.1; N.C. Gen. Stat. § 18B-1001.2; N.C. Gen. Stat. § 18B-1001.3; N.C. Gen. Stat. § 18B-1101; N.C. Gen. Stat. § 18B-1102; N.C. Gen. Stat. § 18B-1115; N.C. Gen. Stat. § 105-113.68; N.C. Gen. Stat. § 105-113.84.

North Dakota

N.D. Cent. Code § 5-01-16; N.D. Cent. Code § 5-01-17; N.D. Cent. Code § 5-01-19.

Ohio

Ohio Rev. Code Ann. § 4303.22; Ohio Rev. Code Ann. § 4303.232; Ohio Admin. Code § 4301:1-1-25.

Oklahoma

Okla. Stat. tit. 37, § 505; Okla. Stat. tit. 37, § 521; Okla. Stat. tit. 37, § 521.3.

Oregon

Or. Rev. Stat. § 471.282; Or. Rev. Stat. § 473.140; Or. Rev. Stat. § 471.404; Or. Admin. R. 845-006-0392; Or. Admin. R. 845-005-0424.

Pennsylvania

47 Pa. Cons. Stat. § 1-102; 47 Pa. Cons. Stat. § 4-488; 47 Pa. Cons. Stat. § 5-505.2; 47 Pa. Cons. Stat. § 5-505.4; 40 Pa. Code § 5.103; 40 Pa. Code § 9.12; 40 Pa. Code § 9.144; 40 Pa. Code § 11.111; 40 Pa. Code § 11.211; 40 Pa. Code § 11.212.

South Carolina

S.C. Code Ann. § 61-4-730; S.C. Code Ann. § 61-4-747; 7 S.C. Code Ann. Regs 200.2.

South Dakota

S.D. Codified Laws § 35-4-49; S.D. Codified Laws § 35-4-66; S.D. Codified Laws § 35-12A-1; S.D. Codified Laws § 35-12A-3; S.D. Codified Laws § 35-12A-4.

Tennessee

Tenn. Code Ann. § 57-3-217.

Texas

Tex. Alco. Bev. Code § 16.09; Tex. Alco. Bev. Code § 41.04; Tex. Alco. Bev. Code § 54.01; Tex. Alco. Bev. Code § 54.02; Tex. Alco. Bev. Code § 54.03; Tex. Alco. Bev. Code § 54.05; Tex. Alco. Bev. Code § 54.06; Tex. Alco. Bev. Code § 110.053; 16 Tex. Admin. Code § 41.23; 16 Tex. Admin. Code § 41.56.

Utah

Utah Code Ann. § 32A-12-201.

Vermont

Vt. Stat. Ann. tit. 7, § 66; Vt. Stat. Ann. tit. 7, § 239.

Virginia

Va. Code Ann. § 4.1-207; Va. Code Ann. § 4.1-209.1; 3 Va. Admin. Code § 5-70-220; 3 Va. Admin. Code § 5-70-225.

Washington

Wash. Rev. Code § 66.20.365; Wash. Rev. Code § 66.20.370; Wash. Rev. Code § 66.20.375; Wash. Rev. Code § 66.20.380; Wash. Rev. Code § 66.20.385; Wash. Rev. Code § 66.24.206.

West Virginia

W. Va. Code, § 60-8-6; W. Va. Code, § 60-8-6a; W. Va. Code, § 60-8-7; W. Va. Code St. R. § 175-1-7; W. Va. Code St. R. § 175-4-2; W. Va. Code St. R. § 175-4-9.

Wisconsin

Wis. Stat. § 125.53; Wis. Stat. § 125.535; Wis. Stat. § 139.035; Wis. Admin. Code § Tax 8.24.

Wyoming

Wyo. Stat. Ann. § 12-2-204; Wyo. Stat. Ann. § 12-4-412; 20 Wyo. Code Rev. Gen. R. § 16.

Dram Shop Liability**Alabama**

Ala. Code § 6-5-71; *Jones v. BP Oil Co.*, 632 So. 2d 435 (Ala. 1993).

Alaska

Alaska Stat. § 04.21.020; *Gonzales v. Safeway Stores*, 882 P.2d 389 (Alaska 1994).

Arizona

Ariz. Rev. Stat. § 4-311; *Schwab v. Matley*, 793 P.2d 1088 (Ariz. 1990); *Young v. DFW Corp.*, 908 P.2d 1 (Ariz. Ct. App. 1995).

Arkansas

Ark. Code § 16-126-103; Ark. Code § 16-126-104; Ark. Code § 16-126-105; *Cadillac Cowboy, Inc. v. Jackson*, 69 S.W. 3d 383 (Ark. 2002).

California

Cal. Bus. & Prof. Code § 25602.1; *Strang v. Cabrol*, 691 P.2d 1013 (Cal. 1984).

Colorado

Colo. Rev. Stat. § 12-47-801; *Sigman v. Seafood Ltd. P'ship*, 817 P.2d 527 (Colo. 1991); *Dickman v. Jackalope, Inc.*, 870 P.2d 1261 (Colo. Ct. App. 1994).

Connecticut

Conn. Gen. Stat. § 30-102; *Bohan v. Last*, 674 A. 2d 839 (Conn. 1996); *Ely v. Murphy*, 540 A.2d 54 (Conn. 1988); *Hayes v. Caspers*, 881 A.2d 428 (Conn. Ct. App.), app. denied, 276 Conn. 915 (2005); *Davenport v. Quinn*, 730 A.2d 1184 (Conn. Appt. Ct. 1999).

Delaware

McCall v. Villa Pizza Inc., 636 A.2d 912 (Del. 1994); *Acker v. S.W. Cantinas, Inc.*, 586 A.2d 1178 (Del. 1991).

District of Columbia

Rong Yao Zhou v. Jennifer Mall Restaurant, Inc., 534 A.2d 1268 (D.C.1987).

Florida

Fla. Stat. § 562.11; Fla. Stat. § 768.125; *Tobias v. Osorio*, 681 So. 2d 905 (Fla. Dist. Ct. App. 1996).

Georgia

Ga. Code Ann. § 51-1-40; *Hulsey v. Northside Equities, Inc.*, 548 S.E.2d 41 (Ga. Ct. App. 2001), aff'd, 567 S.E.2d 4 (Ga. 2002).

Hawaii

Haw. Rev. Stat. § 281-78; *Reyes v. Kuboyama*, 870 P.2d 1281 (Haw.1994); *Ono v. Applegate*, 612 P. 2d 533 (Haw. 1980).

Idaho

Idaho Code § 23-808; *Mc Lean v. Maverik Country Stores, Inc.*, 135 P.3d 756 (Idaho 2006).

Illinois

235 Ill. Comp. Stat. 5/6-21; *Charles v. Seigfried*, 651 N.E.2d 154 (Ill. 1995).

Indiana

Ind. Code § 7.1-5-10-15.5; *Merchants Nat. Bank v. Simrell's Sports Bar & Grill*, 741 N.E.2d 383 (Ind. Ct. App. 2000).

Iowa

Iowa Code § 123.92; Iowa Code § 123.49; *Hoth v. Meisner*, 548 N.W.2d 152 (Iowa 1996); *Kelly v. Sinclair Oil Corp.*, 476 N.W.2d 341 (Iowa 1991).

Kansas

Bland v. Scott, 112 P.3d 941 (Kan. 2005).

Kentucky

Ky. Rev. Stat. § 413.241; *DeStock # 14, Inc. v. Logsdon*, 993 S.W.2d 952 (Ky. 1999).

Louisiana

La. Rev. Stat. Ann. § 9:2800.1; *Berg v. Zummo*, 786 So. 2d 708 (La. 2001).

Maine

Me. Rev. Stat. Ann. tit. 28-A, § 2503; Me. Rev. Stat. Ann. tit. 28-A, § 2505; Me. Rev. Stat. Ann. tit. 28-A, § 2506; Me. Rev. Stat. Ann. tit. 28-A, § 2507; Me. Rev. Stat. Ann. tit. 28-A, § 2508; Me. Rev. Stat. Ann. tit. 28-A, § 2509; Me. Rev. Stat. Ann. tit. 28-A, § 2511; Me. Rev. Stat. Ann. tit. 28-A, § 2515; *Jackson v. Tedd-Lait Post No. 5*, 723 A.2d 1220 (Me. 1999).

Maryland

Felder v. Butler, 438 A.2d 494 (Md. 1981); *Moran v. Foodmaker*, 594 A.2d 587 (Md. Spec. Ct. App. 1991), writ denied, 599 A.2d 90 (Md. 1991).

Massachusetts

Mass. Gen. Laws ch. 231, § 85T; *Cimino v. Milford Keg, Inc.*, 431 N.E.2d 920 (Mass. 1982); *Adamian v. Three Sons, Inc.*, 233 N.E.2d 18 (Mass. 1968); *Wiska v. St. Stanislaus Social Club, Inc.*, 390 N.E.2d 1133 (Mass. App. Ct. 1979).

Michigan

Mich. Comp. Laws § 436.1801; Mich. Comp. Laws § 436.1815; *Longstreth v Gensel*, 377 N.W.2d 804 (Mich. 1985).

Minnesota

Minn. Stat. § 340A.801; Minn. Stat. § 340A.503.

Mississippi

Bryant v. Alpha Entertainment Corp., 508 So. 2d 1094 (Miss. 1987); *Moore v. K&J Enters.*, 856 So. 2d 621 (Miss. Ct. App.), cert. granted, 860 So.2d 1223 (Miss. 2003), cert. dismissed (Mar. 4, 2004).

Missouri

Mo. Rev Stat. § 537.053; *Snodgras v. Martin & Bayley, Inc.*, 204 S.W.3d 638 (Mo. 2006).

Montana

Mont. Code Ann. § 27-1-710; *Rohlfs v. Klemenhausen, LLC*, 227 P.3d 42 (Mont. 2009).

Nebraska

Neb. Rev. Stat. § 53-401; Neb. Rev. Stat. § 53-402; Neb. Rev. Stat. § 53-403; Neb. Rev. Stat. § 53-404; Neb. Rev. Stat. § 53-405; Neb. Rev. Stat. § 53-406; Neb. Rev. Stat. § 53-407; Neb. Rev. Stat. § 53-408; *Pelzek v. American Legion*, 463 N.W.2d 321 (Neb. 1990).

Nevada

Nev. Rev. Stat. § 41.1305; *Hinegardner v. Marcor Resorts, L.P.V.*, 844 P.2d 800 (Nev. 1992).

New Hampshire

N.H. Rev. Stat. Ann. § 507-F:1, N.H. Rev. Stat. Ann. § 507-F:2, N.H. Rev. Stat. Ann. § 507-F:3, N.H. Rev. Stat. Ann. § 507-F:4, N.H. Rev. Stat. Ann. § 507-F:5, N.H. Rev. Stat. Ann. § 507-F:6, N.H. Rev. Stat. Ann. § 507-F:7, N.H. Rev. Stat. Ann. § 507-F:8.

New Jersey

N.J. Rev. Stat. § 2A:22A-5.

New Mexico

N.M. Stat. Ann. § 41-11-1; *Trujillo v. City of Albuquerque*, 965 P.2d 305 (N.M. 1998).

New York

N.Y. Gen. Oblig. Law § 11-100.

North Carolina

N.C. Gen. Stat. § 18B-120; N.C. Gen. Stat. § 18B-122; N.C. Gen. Stat. § 18B-123; *Estate of Mullis by Dixon v. Monroe Oil Co.*, 488 S.E.2d 830 (N.C. Ct. App. 1997), *aff'd*, 505 S.E.2d 131 (N.C. 1998).

North Dakota

N.D. Cent. Code § 5-01-06.1; N.D. Cent. Code § 32-21-02; *Thoring v. Bottonsek*, 350 N.W.2d 586 (N.D. 1984).

Ohio

Ohio Rev. Code § 4399.18; Ohio Rev. Code § 4301.69; *Lesnau v. Andate Enters., Inc.*, 756 N.E.2d 97 (Ohio 2001).

Oklahoma

Mansfield v. Circle K. Corp., 877 P.2d 1130 (Okla. 1994); *Busby v. Quail Creek Golf and Country Club*, 885 P.2d 1326 (Okla. 1994); *Tomlinson v. Love's Country Stores, Inc.*, 854 P.2d 910 (Okla. 1993); *Brigance v. Velvet Dove Restaurant, Inc.*, 725 P.2d 300 (Okla. 1986).

Oregon

Or. Rev. Stat. § 471.567; Or. Rev. Stat. § 471.565.

Pennsylvania

47 Pa. Cons. Stat. § 4-493; *Matthews v. Konieczny*, 527 A.2d 508 (Pa. 1987).

Rhode Island

R.I. Gen. Laws § 3-14-4; R.I. Gen. Laws § 3-14-5; R.I. Gen. Laws § 3-14-6; R.I. Gen. Laws § 3-14-7; R.I. Gen. Laws § 3-14-8; R.I. Gen. Laws § 3-14-9; R.I. Gen. Laws § 3-14-12.

South Carolina

Norton v. Opening Break of Aiken, Inc., 443 S.E.2d 406 (S.C. Ct. App. 1994), *aff'd*, 462 S.E.2d 861 (S.C. 1995); *Whitlaw v. Kroger Co.*, 410 S.E.2d 251 (S.C. 1991).

South Dakota

S.D. Codified Laws § 35-4-78; S.D. Codified Laws § 35-11-1; *Baatz v. Arrow Bar*, 426 N.W.2d 298 (S.D. 1988); *Wildeboer v. South Dakota Junior Chamber of Commerce, Inc.*, 561 N.W.2d 666 (S.D. 1997).

Tennessee

Tenn. Code Ann. § 57-10-102; *Worley v. Weigel's, Inc.*, 919 S.W.2d 589 (Tenn. 1996).

Texas

Tex. Alco. Bev. Code Ann. § 2.01; Tex. Alco. Bev. Code Ann. § 2.02; Tex. Alco. Bev. Code Ann. § 2.03.

Utah

Utah Code Ann. § 32A-14a-102; *Mackay v. 7-Eleven Sales Corp.*, 995 P.2d 1233 (Utah 2000); *Adkins v. Uncle Bart's, Inc.*, 1 P.3d 528 (Utah 2000).

Vermont

Vt. Stat. Ann. tit. 7, § 501.

Virginia

Robinson v. Matt Mary Moran, Inc., 525 S.E.2d 253 (Va. 2000).

Washington

Crowe v. Gaston, 951 P.2d 1118 (Wash. 1998); *Schooley v. Pinch's Deli Market, Inc.*, 951 P.2d 749 (Wash. 1998).

West Virginia

Anderson v. Moulder, 394 S.E.2d 61 (W. Va. 1990).

Wisconsin

Wis. Stat. § 125.035; *Meier v. Champ's Sport Bar & Grill*, 623 N.W.2d 94 (Wis. 2001).

Wyoming

Daniels v. Carpenter, 62 P.3d 555 (Wyo. 2003).

Drink Specials

Alabama

Ala. Admin. Code r. 20-X-6-.13.

Alaska

Alaska Stat. § 04.16.015.

Arizona

Ariz. Rev. Stat. § 4-244.

Arkansas

Ark. Reg. 006.02.1-1.79.

California

Cal. Bus. & Prof. Code § 23386; Cal. Bus. & Prof. Code § 25600; Cal. Code Regs. tit. 4, § 106.

Connecticut

Conn. Agencies Regs. § 30-6-A24b.

Delaware

4 Del. Admin. Code 2.

District of Columbia

D.C. Code Ann. § 25-741; D.C. Mun. Regs. tit. 23, § 199.

Illinois

235 Ill. Comp. Stat. 5/6-28; Ill. Admin. Code tit. 11, § 100.280.

Indiana

Ind. Code § 7.1-5-10-20.

Kansas

Kan. Stat. Ann. § 41-2640; Kan. Stat. Ann. § 41-2722; Kan. Admin. Regs. 14-19-31; Kan. Admin. Regs. 14-20-33; Kan. Admin. Regs. 14-21-16.

Kentucky

Ky. Rev. Stat. § 244.050.

Louisiana

La. Rev. Stat. Ann. § 26:90; La. Rev. Stat. Ann. § 26:286.

Maine

Me. Rev. Stat. Ann. tit. § 28-A-709.

Massachusetts

Mass. Regs. Code tit. 204, § 4.03.

Michigan

Mich. Comp. Law § 436.2025; Mich. Admin. Code r. 436.1438.

Minnesota

Minn. R. 7515.0760.

Nebraska

237 Neb. Admin. Code ch. 6, § 019.

New Hampshire

N.H. Rev. Stat. § 179:44.

New Jersey

N.J. Admin Code tit. 13, § 2-23.16.

New Mexico

N.M. Admin. Code tit. 15, § 10.51.

New York

N.Y. Alco. Bev. Cont. Law § 117-a.

North Carolina

N.C. Admin. Code tit. 4, r. 2S.0232.

Ohio

Ohio Rev. Code Ann. § 4301.22; Ohio Admin. Code § 4301:1-1-50.

Oklahoma

Okla. Stat. tit. 37, § 537.

Oregon

Or. Admin. R. 845-006-0345; Or. Admin. R. 845-006-0425; Or. Admin. R. 845-007-0020.

Pennsylvania

40 Pa. Code § 13.102.

Rhode Island

R.I. Gen. Laws § 3-7-26; R.I. Admin. Code 11-4-8:4.

South Carolina

S.C. Code Ann. § 61-4-160; S.C. Code Ann. § 61-6-4550.

Tennessee

Tenn. Comp. R. & Regs. 0100-01-.03.

Texas

Tex. Admin. Code tit. 16, § 45.103.

Utah

U.C.A. 1953 § 32A-1-105; U.C.A. 1953 § 32A-4-106; U.C.A. 1953 § 32A-4-307; U.C.A. 1953 § 32A-5-107; U.C.A. 1953 § 32A-10-206.

Vermont

Vt. Code R. 14-1-3.

Virginia

3 Va. Admin. Code § 5-50-160; 3 Va. Admin. Code § 5-50-30.

Washington

Wash. Admin. Code § 314-11-085; Wash. Admin. Code § 314-52-110.

Graduated Driver's License

Alabama

Ala. Code § 32-6-7.2, Ala. Code § 32-6-8.

Alaska

Alaska Stat. § 28.15.051, Alaska Stat. § 28.15.055, Alaska Stat. § 28.15.057.

Arizona

Ariz. Rev. Stat. § 28-3153, Ariz. Rev. Stat. § 28-3154, Ariz. Rev. Stat. § 28-3155, Ariz. Rev. Stat. § 28-3174.

Arkansas

Ark. Code Ann. § 27-16-604, Ark. Code Ann. § 27-16-802, Ark. Code Ann. § 27-16-804, Ark. Code Ann. § 27-16-901.

California

Cal. Veh. Code § 12509, Cal. Veh. Code § 12814.6.

Colorado

Col. Rev. Stat. § 42-2-104, Co. Rev. Stat. § 42-2-106, Co. Rev. Stat. § 42-2-111, Co. Rev. Stat § 42-2-105.5, Co. Rev. Stat § 42-4-116.

Connecticut

Conn. Gen. Stat. § 14-36, Conn. Gen. Stat. § 14-36g, Conn. Gen. Stat. § 14-36j.

Delaware

Del. Code Ann. Tit. 14 § 4125, Del. Code Ann. Tit. 21 § 2701, Del. Code Ann. Tit. 21 § 2710.

District of Columbia

DC Code Ann § 50-1401.01, DC Mun. Regs. Tit. 18 § 100.

Florida

Fl Stat. Ann. § 322.05, Fl Stat. Ann. § 322.1615, Fl Stat. Ann § 322.16.

Georgia

Ga. Stat. Ann. § 40-5-22, Ga. Stat. Ann. § 40-5-24.

Hawaii

Haw. Rev. Stat. § 286-102.6, Haw. Rev. Stat. § 286-104, Haw. Rev. Stat. § 286-108.4, Haw. Rev. Stat. § 286-110, Haw. Admin. R. § 19-139-3, Haw. Admin. R. § 19-139-12.

Idaho

Idaho Code § 49-110, Idaho Code § 49-303, Idaho Code § 49-307.

Illinois

625 Ill. Comp. Stat. 5/6-107, 625 Ill. Comp. Stat. 5/6-103, 625 Ill. Comp. Stat. 5/6-107.1, 625 Ill. Comp. Stat. 5/6-110, Ill. Admin. Code tit. 92, § 1030.11, Ill. Admin. Code tit. 92, §1030.65.

Indiana

Ind. Code § 9-24-3-2, Ind. Code § 9-24-7-1, Ind. Code § 9-24-7-3, Ind. Code § 9-24-7-4, Ind. Code § 9-24-11-3, Ind. Code § 9-24-11-3.3, Ind. Code § 31-37-3-2, Ind. Code § 31-37-3-3.5.

Iowa

Iowa Code § 321.180B.

Kansas

Kan. Stat. Ann. § 8-2,100, Kan. Stat. Ann. § 8-2,101, Kan. Stat. Ann. § 8-235d, Kan. Stat. Ann. § 8-237, Kan. Stat. Ann. § 8-239, Kan. Stat. Ann. § 8-240.

Kentucky

Ky. Rev. Stat. Ann. §186.410, Ky. Rev. Stat. Ann. § 186.450, Ky. Rev. Stat. Ann. § 186.452, Ky. Rev. Stat. Ann. §186.454.

Louisiana

La. Rev. Stat. Ann § 32:405.1, La. Rev. Stat. Ann § 32:407, La. Rev. Stat. Ann § 32:408.

Maine

Me. Rev. Stat. Ann. tit. 29-A, §§ 1251, 1304, 1311, 1351.

Maryland

Md. Ann. Code, Transportation, §§ 16-103, 16-105, 16-111, 16-113, 21-1123; MD Trans. 11.17.14.13.

Massachusetts

Mass. Gen. Laws Ann. ch. 90, § 8, Mass. Gen. Laws Ann. ch. 90, § 8B.

Michigan

Mich. Comp. Laws § 257.310e.

Minnesota

Minn. Stat. § 171.04, Minn. Stat. § 171.05, Minn. Stat. § 171.055, Minn. Stat. § 609B.265.

Mississippi

Miss. Code Ann. § 37-25-7, Miss. Code Ann. § 63-1-9, Miss. Code Ann. § 63-1-21, Miss. Reg. 16 000 001, DS Policy 2.006 (alternatively cited as Miss. Admin. Code 31-3-3:2.006).

Missouri

Mo. Rev. Stat. § 302.060, Mo. Rev. Stat. § 302.130, Mo. Rev. Stat. § 302.178.

Montana

Mont. Code Ann. § 61-5-105, Mont. Code Ann. § 61-5-106, Mont. Code Ann. § 61-5-132, Mont. Code Ann. § 61-5-133, Mont. Admin. R. 10.13.313 (2008).

Nebraska

Neb. Rev. Stat. § 60-480, Neb. Rev. Stat. § 60-4,118.05, Neb. Rev. Stat. § 60-4,120.01, Neb. Rev. Stat. § 60-4,123.

Nevada

Nev. Stat. Ann. § 483.2521, Nev. Stat. Ann. § 483.2523, Nev. Stat. Ann. § 483.2525, Nev. Stat. Ann. § 483.280, Nev. Stat. Ann. § 484B.907.

New Hampshire

N.H. Rev. Stat. Ann. § 263:14, N.H. Rev. Stat. § 263:16, N.H. Rev. Stat. § 263:17, N.H. Rev. Stat. Ann. § 263:19, N.H. Rev. Stat. Ann. § 263:25.

New Jersey

N.J. Rev. Stat. s. 39:3-10, N.J. Rev. Stat. s. 39:3-13, N.J. Rev. Stat. s. 39:3-13.4.

New Mexico

N.M. Stat. Ann. § 66-5-5, N.M. Stat. Ann. § 66-5-8.

New York

N.Y. Veh. & Traf. § 501, N.Y. Veh. & Traf. § 502, N.Y. Veh. & Traf. § 501-b, N.Y. Comp. Codes R. & Regs. tit. 15, § 1.5, N.Y. Comp. Codes R. & Regs. tit. 15, § 4.2, N.Y. Comp. Codes R. & Regs. tit. 15, § 4.4.

North Carolina

N.C. Gen. Stat. § 20-11.

North Dakota

N.D. Cent. Code § 39-06-03, N.D. Cent. Code § 39-06-04.

Ohio

Ohio Rev. Code Ann. § 4507.05, Ohio Rev. Code Ann. § 4507.21, Ohio Rev. Code Ann. § 4507.071.

Oklahoma

Okla. Stat. tit. 47, § 6-105, Okla. Admin. Code 595:10-1-5.

Oregon

Or. Rev. Stat. § 807.060, Or. Rev. Stat. § 807.065, Or. Rev. Stat. § 807.122, Or. Rev. Stat. § 807.280.

Pennsylvania

75 Pa. Cons. Stat. § 1503, 75 Pa. Cons. Stat. § 1505.

Rhode Island

R.I. Gen. Laws § 31-10-3, R.I. Gen. Laws § 31-10-6, R.I. Gen. Laws § 31-10-20,

South Carolina

S.C. Code Ann. § 56-1-40, S.C. Code Ann. § 56-1-50, S.C. Code Ann. § 56-1-175.

South Dakota

S.D. Codified Laws § 32-12-11, S.D. Codified Laws § 32-12-12, S.D. Codified Laws § 32-12-17.

Tennessee

Tenn. Code Ann. § 55-50-102, Tenn. Code Ann. § 55-50-311.

Texas

Tex. Transp. Code Ann. § 521.201, Tex. Transp. Code Ann. § 521.203, Tex. Transp. Code Ann. § 521.204, Tex. Transp. Code Ann. § 521.222, Tex. Transp. Code Ann. § 545.424, Tex. Educ. Code Ann. § 1001.101, Tex. Admin. Code tit. 37, § 15.5.

Utah

Utah Code Ann. § 41-8-2, Utah Code Ann. § 41-8-3, Utah Code Ann. § 53-3-204, Utah Code Ann. § 53-3-210.5, Utah Code Ann. § 53-3-211.

Vermont

Vt. Stat. Ann. tit. 23, § 607, Vt. Stat. Ann. tit. 23, § 614, Vt. Stat. Ann. tit. 23, § 617, Vt. Stat. Ann. tit. 23, § 678.

Virginia

Va. Code Ann. § 46.2-334, Va. Code Ann. § 46.2-334.01, Va. Code Ann. § 46.2-335, Va. Code Ann. § 46.2-335.2.

Washington

Wash. Rev. Code § 46.20.055, Wash. Rev. Code § 46.20.075.

West Virginia

W. Va. Code § 17B-2-3a, W. Va. Code § 17B-2-7.

Wisconsin

Wis. Stat. § 343.06, Wis. Stat. § 343.07, Wis. Stat. § 343.085.

Wyoming

Wyo. Stat. Ann. § 31-7-108, Wyo. Stat. Ann. § 31-7-110, Wyo. Stat. Ann. § 31-7-111.

Home Delivery

Alabama

Ala. Code § 28-1-4; Ala. Code § 28-3A-25; Ala. Code § 28-4-111; Ala. Admin. Code r. 20-X-8-.04; Ala. Admin. Code r. 20-X-7-.08.

Alaska

Alaska Stat. § 04.11.150; Alaska Stat. § 04.21.080; Alaska Stat. § 04.16.125; Alaska Admin. Code tit. 13, § 104.645.

Arizona

Ariz. Rev. Stat. § 4-203; Ariz. Rev. Stat. § 4-101; Ariz. Admin. Code. R 19-1-221.

Arkansas

Ark. Code. Ann. § 3-4-405; Ark. Admin. Reg. 006.02.1-1.6.

California

Cal. Bus.& Prof. Code § 23004; Cal. Bus.& Prof. Code § 25605; Cal. Code Regs. tit 4, § 17.

Colorado

Colo. Rev. Stat. § 12-46-107; Colo. Rev. Stat § 12-47-407; Colo. Rev. Stat § 12-47-408; 1 Colo. Code Regs. 203-2:47-426.

Connecticut

Conn. Gen. Stat. § 30-1; Conn. Gen. Stat. § 30-19f; Conn. Agencies Regs. § 30-6-B20; Conn. Agencies Regs. § 30-6-B55.

Delaware

Del. Code. Ann. tit. 4, § 101; Del. Code. Ann. tit. 4, § 526; Del. Code. Ann. tit. 4, § 716; Del. Code. Ann. tit. 4, § 717; 4 Del. Admin. Code 33.

District of Columbia

D.C. Code Ann. § 25-101; D.C. Code Ann. § 25-112; D.C. Code Ann. § 25-722; D.C. Mun. Regs. tit. 23, § 705.

Florida

Fla. Stat. ch. 561.01; Fla. Stat. ch. 561.14; Fla. Stat. ch. 561.57; Fla. Admin. Code r. 61A-1.013.

Georgia

Ga. Code Ann. § 3-1-2; Ga. Comp. R. & Regs. r. 560-2-3-.03; Ga Comp. R. & Regs. r. 560-2-3-.09; Ga Comp. R. & Regs. r. 560-2-3-.10; Ga Comp. R. & Regs. r. 560-2-3-.14; Ga Comp. R. & Regs. r. 560-2-13-.029.26.11.

Illinois

235 Ill. Comp. Stat. 5/1-3.05; 235 Ill. Comp. Stat. 5/5-1.

Indiana

Ind. Code § 7.1-3-4-6; Ind. Code § 7.1-3-5-3; Ind. Code § 7.1-3-9-9; Ind. Code § 7.1-3-10-4; Ind. Code § 7.1-3-10-7; Ind. Code § 7.1-3-14-4; Ind. Code § 7.1-3-15-3.

Iowa

Iowa Admin. Code r. 185-4.33; Iowa Admin. Code r. 185-17.1; Iowa Admin. Code r. 185-17.5.

Kentucky

Ky. Rev. Stat. Ann. § 243.240; Ky. Rev. Stat. Ann. § 243.250; Ky. Rev. Stat. Ann. § 244.350.

Maryland

MD Code Ann, Art. 2B, § 12-301; MD Regs. Code Comp. Treas. 03.02.01.03.

Massachusetts

Mass. Gen. Laws. ch. 138 § 15; Mass. Gen. Laws. ch. 138 § 22.

Michigan

Mich. Comp. Laws § 436.1203; Mich. Admin. Code R. 436.1011; Mich. Admin. Code R. 436.1515; Mich. Admin. Code R. 436.1527.

Minnesota

Minn. R. 7515.0580.

Nebraska

Neb. Rev. St. § 53-103.02; Neb. Rev. St. § 53-103.36; Neb. Rev. St. § 53-123.04; 237 Neb. Admin. Code ch. 6, § 019.

New Hampshire

N.H. Rev. Stat. § 175:1; N.H. Code Admin. R. Liq 404.04.

New Jersey

N.J. Rev. Stat. § 33:1-1; N.J. Rev. Stat. § 33:1-12; N.J. Rev. Stat. § 33:1-28; N.J. Admin Code tit. 13, § 13:2-20.2; N.J. Admin Code tit. 13, § 13:2-20.3.

New York

N.Y. Alco. Bev. Cont. § 3; N.Y. Alco. Bev. Cont. § 53-a; N.Y. Alco. Bev. Cont. § 100; N.Y. Alco. Bev. Cont. § 102; N.Y. Alco. Bev. Cont. § 105; N.Y. Alco. Bev. Cont. § 116; N.Y. Comp. Codes R. & Regs. tit. 9, § 67.1.

North Carolina

N.C. Gen. Stat. § 18B-1001; N.C. Gen. Stat. § 18B-904.

Oklahoma

Okla. Stat. tit. 37, § 505; Okla. Stat. tit. 37, § 534.

Oregon

Or. Rev. Stat. § 471.305; Or. Rev. Stat. § 471.186; Or. Admin. R. 845-005-0420; Or. Admin. R. 845-005-0424; Or. Admin. R. 845-006-0396.

Rhode Island

R.I. Gen. Laws § 3-1-1; R.I. Gen. Laws § 3-7-1; R.I. Gen. Laws § 3-7-3; R.I. Code 11-4-8:4, Rule 10.

South Dakota

S.D. Codified Laws § 35-4-66; S.D. Codified Laws § 35-4-74.

Tennessee

Tenn. Comp. R. & Regs. 0100-03-.10.

Texas

Tex. Alco. Bev. Code § 1.04; Tex. Alco. Bev. Code § 22.01; Tex. Alco. Bev. Code § 22.03; Tex. Alco. Bev. Code § 43.03; Tex. Alco. Bev. Code § 43.05; Tex. Admin. Code tit. 16 § 35.3.

Utah

U.C.A. 1953 § 32A-12-201; U.C.A. 1953 § 32A-12-504.

Virginia

Va. Code Ann. § 4.1-212.1; 3 Va. Admin. Code 5-70-225.

Washington

Wash. Admin. Code 314-01-005; Wash. Admin. Code 314-03-020.

Wisconsin

Wis. Stat. § 125.51.

Social Host Liability

Alabama

Ala. Code § 6-5-71; *Martin v. Watts*, 513 So. 2d 958 (Ala. 1987), also reported at 508 So. 2d 1136.

Alaska

Alaska Stat. § 04.21.020; *Chokwak v. Worley*, 912 P.2d 1248 (Alaska 1996).

Arizona

Ariz. Rev. Stat. § 4-301; *Estate of Hernandez v. Flavio*, 930 P.2d 1309 (Ariz. 1997); *Knoell v. Cerkvenik-Anderson Travel Inc.*, 917 P.2d 689 (Ariz. 1996); *Young v. DFW Corp.*, 908 P.2d 1 (Ariz. Ct. App. 1995).

Arkansas

Ark. Code § 16-126-105; Ark. Code § 16-126-106; *Archer v. Sigma Tau Gamma Alpha Epsilon, Inc.*, 2010 Ark. 8, 2010 WL 129774 (Ark. 2010); *Alpha Zeta Chapter of Pi Kappa Alpha Fraternity v. Sullivan*, 740 S.W.2d 127 (Ark. 1987).

California

Cal. Civ. Code § 1714.

Colorado

Colo. Rev. Stat. § 12-47-801; *Charlton v. Kimata*, 815 P.2d 946 (Colo. 1991); *Gonzalez v. Yancey*, 939 P.2d 525 (Colo. Ct. App. 1997).

Connecticut

Bohan v. Last, 674 A. 2d 839 (Conn. 1996); *Ely v. Murphy*, 540 A. 2d 54 (Conn. 1988); *Pike v. Bugbee*, 974 A.2d 743 (Conn. App. Ct. 2009).

Delaware

Shea v. Matassa, 918 A.2d 1090 (Del. Super. Ct. 2007).

District of Columbia

Wadley v. Aspillaga, 163 F. Supp. 2d 1 (D.D.C. 2001), *aff'd*, *Wadley v. Int'l Telcoms. Satellite Org.*, 82 Fed. Appx. 227 (D.C. Cir. 2003).

Florida

Bankston v. Brennan, 507 So. 2d 1385 (Fla. 1987); *Trainor v. Estate of Hanson*, 740 So. 2d 1201 (Fla. Ct. App. 1999).

Georgia

Ga. Code Ann. § 51-1-40; *Riley v. H&H Operations, Inc.*, 436 S.E.2d 659 (Ga.1993).

Hawaii

Haw. Rev. Stat. § 663-41; *Faulk v. Suzuki Motor Co., Ltd.*, 851 P.2d 332 (Haw. Ct. App. 1993).

Idaho

Idaho Code § 23-808; *Slade v. Smith's Management Corp.*, 808 P.2d 401 (Idaho 1991).

Illinois

Wakulich v. Mraz, 785 N.E.2d 843 (Ill. 2003); *Charles v. Seigfried*, 651 N.E.2d 154 (Ill. 1995).

Indiana

Ind. Code § 7.1-5-10-15.5; *Culver v. McRoberts*, 192 F.3d 1095 (7th Cir. 1999).

Iowa

Iowa Code § 123.92; § 123.49; *Brenneman v. Stuelke* 654 N.W.2d 507 (Iowa 2002).

Kansas

Bland v. Scott, 112 P.3d 941 (Kan. 2005).

Kentucky

Estate of Vosnick v. RRJC, Inc., 225 F. Supp. 2d 737 (E.D. Ky. 2002).

Louisiana

La. Rev. Stat. Ann. § 9:2800.1; *Gresham v. Davenport*, 537 So. 2d 1144 (La.1989); *Garcia on Behalf of Garcia v. Jennings*, 427 So. 2d 1329 (La. Ct. App. 1983).

Maine

Me. Rev. Stat. Ann. tit. 28-A, § 2503; Me. Rev. Stat. Ann. tit. 28-A, § 2505; Me. Rev. Stat. Ann. tit. 28-A, § 2506; Me. Rev. Stat. Ann. tit. 28-A, § 2507; Me. Rev. Stat. Ann. tit. 28-A, § 2508; Me. Rev. Stat. Ann. tit. 28-A, § 2509; Me. Rev. Stat. Ann. tit. 28-A, § 2511; Me. Rev. Stat. Ann. tit. 28-A, § 2515; *Jackson v. Tedd-Lait Post No. 5*, 723 A.2d 1220 (Me. 1999).

Maryland

Hebb v. Walker, 536 A.2d 113 (Md. Spec. Ct. App. 1988).

Massachusetts

McGuigan v. New England Telephone & Telegraph Co., 496 N.E.2d 141 (Mass. 1986); *O'Flynn v. Powers*, 646 N.E.2d 1091 (Mass. 1995); *Makynen v. Mustakangas*, 655 N.E.2d 1284 (Mass. App. Ct.), review denied, 657 N.E.2d 1273 (Mass. 1995).

Michigan

Longstreth v Gensel, 377 N.W.2d 804 (Mich. 1985).

Minnesota

Minn. Stat. § 340A.90; Minn. Stat. § 340A.801; Minn. Stat. § 340A.503.

Mississippi

Miss. Code Ann. § 67-3-73.

Missouri

Andres v. Alpha Kappa Lambda Fraternity, 730 S.W.2d 547 (Mo. 1987); *Coons v. Berry*, 304 S.W.3d 215 (Mo. Ct. App. 2009); *Ritchie v. Goodman*, 161 S.W.3d 851 (Mo. Ct. App. 2005), transfer denied (Mo. May 31, 2005).

Montana

Mont. Code Ann. § 27-1-710.

Nebraska

Neb. Rev. Stat. § 53-401; Neb. Rev. Stat. § 53-402; Neb. Rev. Stat. § 53-403; Neb. Rev. Stat. § 53-404; Neb. Rev. Stat. § 53-405; Neb. Rev. Stat. § 53-406; Neb. Rev. Stat. § 53-407; Neb. Rev. Stat. § 53-408; *Pelzek v. American Legion*, 463 N.W.2d 321 (Neb. 1990).

Nevada

Nev. Rev. Stat. § 41.1305; *Hinegardner v. Marcor Resorts, L.P.V.*, 844 P.2d 800 (Nev.1992).

New Hampshire

Hickingbotham v. Burke, 662 A.2d 297 (N.H. 1995).

New Jersey

Componile v. Maybee, 641 A.2d 1143 (N.J. Super. Ct. Law. Div. 1994); *Linn v. Rand*, 356 A.2d 15 (N.J. Super. Ct. App. Div. 1976); *A.B. v. Johnson*, Civ. Action No. 08-cv-5247, 2010 WL 5441650 (D.N.J., Dec. 23, 2010).

New Mexico

N.M. Stat. Ann. § 41-11-1; *Trujillo v. City of Albuquerque*, 965 P.2d 305 (N.M. 1998).

New York

N.Y. Gen. Oblig. Law § 11-100.

North Carolina

Camalier v. Jeffries, 460 S.E.2d 133 (N.C. 1995); *Hart v. Ivey*, 420 S.E.2d 174 (N.C. 1992).

North Dakota

N.D. Cent. Code § 5-01-06.1; N.D. Cent. Code § 32-21-02.

Ohio

Mitseff v. Wheeler, 526 N.E.2d 798 (Ohio 1988); *Williams v. Veterans of Foreign Wars*, 650 N.E.2d 175 (Ohio Ct. App. 1994); Ohio Rev. Code § 4301.69.

Oklahoma

Teel v. Warren, 22 P.3d 234 (Okla. Civ. App Ct. 2001).

Oregon

Or. Rev. Stat. § 471.567.

Pennsylvania

Congini v. Portersville Valve Co., 470 A.2d 515 (Pa. 1983).

South Carolina

Marcum v. Bowden, 643 S.E.2d 85 (S.C. 2007).

South Dakota

S.D. Codified Laws § 35-11-1; S.D. Codified Laws § 35-11-2.

Tennessee

Tenn. Code Ann. § 57-10-101; *Biscan v. Brown*, 160 S.W.3d 462 (Tenn. 2005).

Texas

Tex. Alco. Bev. Code Ann. § 2.02; *Dorris v. Price*, 22 S.W.3d 42 (Tex. Ct. App. 2000).

Utah

Utah Code Ann. § 32A-14a-102; *Gilger v. Hernandez*, 997 P.2d 305 (Utah 2000).

Vermont

Vt. Stat. Ann. tit. 7, § 501; *Winney v. Ransom & Hastings, Inc.*, 542 A.2d 269 (Vt. 1988).

Virginia

Robinson v. Matt Mary Moran, Inc., 525 S.E.2d 253 (Va. 2000); *Williamson v. Old Brogue, Inc.*, 350 S.E.2d 621 (Va. 1986).

Washington

Reynolds v. Hicks, 951 P.2d 761 (Wash. 1998); *Crowe v. Gaston*, 951 P.2d 1118 (Wash. 1998).

West Virginia

Overbaugh v. McCutcheon, 396 S.E.2d 153 (W.Va. 1990).

Wisconsin

Wis. Stat. § 125.035; *Nichols v. Progressive Northern Ins. Co.*, 746 N.W.2d 220 (Wis. 2008).

Wyoming

Daniels v. Carpenter, 62 P.3d 555 (Wyo. 2003).

Alcohol Tax

Alabama

Beer: Ala. Code § 28-3-1; Ala. Code § 28-3-184; Ala. Code § 28-3-190.

Alaska

Beer: Alaska Stat. § 04.21.080; Alaska Stat. § 43.60.010.
Wine: Alaska Stat. § 04.21.080; Alaska Stat. § 43.60.010.
Spirits: Alaska Stat. § 04.21.080; Alaska Stat. § 43.60.010.

Arizona

Beer: Ariz. Rev. Stat. § 42-3001; Ariz. Rev. Stat. § 42-3052.
Wine: Ariz. Rev. Stat. § 42-3001; Ariz. Rev. Stat. § 42-3052.
Spirits: Ariz. Rev. Stat. § 42-3001; Ariz. Rev. Stat. § 42-3052.

Arkansas

Beer: Ark. Code Ann. § 3-1-102; Ark. Code Ann. §3-7-104; Ark. Code Ann. § 3-7-111; Ark. Code Ann. § 3-7-201.
Wine: Ark. Code Ann. § 3-7-104; Ark. Code Ann. § 3-9-223; Ark. Admin. Code § 006 05 009, Rule GR-26.
Spirits: Ark. Code Ann. § 3-1-102; Ark. Code Ann. § 3-7-104; Ark. Code Ann. § 3-7-201; Ark. Code Ann. § 3-9-202; Ark. Code Ann. § 3-9-213; Ark. Admin. Code § 006 05 009, Rule GR-26.

California

Beer: Cal. Bus. & Prof. Code § 23004; Cal. Bus. & Prof. Code § 23006; Cal. Rev. & Tax. Code § 32151; Cal. Rev. & Tax. Code § 32220.

Wine: Cal. Bus. & Prof. Code § 23004; Cal. Bus. & Prof. Code § 23007; Cal. Rev. & Tax. Code § 32151; Cal. Rev. & Tax. Code § 32220.
Spirits: Cal. Bus. & Prof. Code § 23004; Cal. Rev. & Tax. Code § 32220; Cal. Rev. & Tax. Code § 32201.

Colorado

Beer: Colo. Rev. Stat. § 12-47-103; Colo. Rev. Stat. § 12-47-503.
Wine: Colo. Rev. Stat. § 12-47-103; Colo. Rev. Stat. § 12-47-503.
Spirits: Colo. Rev. Stat. § 12-47-103; Colo. Rev. Stat. § 12-47-503.

Connecticut

Beer: Conn. Gen. Stat. § 12-433; Conn. Gen. Stat. § 12-435.
Wine: Conn. Gen. Stat. § 12-433; Conn. Gen. Stat. § 12-435.
Spirits: Conn. Gen. Stat. § 12-433; Conn. Gen. Stat. § 12-435.

Delaware

Beer: Del. Code Ann. tit. 4, § 101; Del. Code Ann. tit. 4, § 581.
Wine: Del. Code Ann. tit. 4, § 101; Del. Code Ann. tit. 4, § 581.
Spirits: Del. Code Ann. tit. 4, § 101; Del. Code Ann. tit. 4, § 581; 4 Del. Admin. Code 76.

District of Columbia

Beer: D.C. Code Ann. § 25-101; D.C. Code Ann. § 25-902; D.C. Code Ann. § 47-2002; D.C. Code Ann. § 47-2002.02.
Wine: D.C. Code Ann. § 25-101; D.C. Code Ann. § 25-901; D.C. Code Ann. § 47-2002; D.C. Code Ann. § 47-2002.02.
Spirits: D.C. Code Ann. § 25-101; D.C. Code Ann. § 25-901; D.C. Code Ann. § 47-2002; D.C. Code Ann. § 47-2002.02.

Florida

Beer: Fla. Stat. Ann. § 563.05.
Wine: Fla. Stat. Ann. § 564.06.
Spirits: Fla. Stat. Ann. § 564.06; Fla. Stat. Ann. § 565.12.

Georgia

Beer: Ga. Code Ann., § 3-1-2; Ga. Code Ann., § 3-5-60; Ga. Code Ann., § 3-5-80.
Wine: Ga. Code Ann., § 3-1-2; Ga. Code Ann., § 3-6-1; Ga. Code Ann., § 3-6-50.
Spirits: Ga. Code Ann., § 3-1-2; Ga. Code Ann., § 3-4-60; Ga. Code Ann., § 3-7-60.

Hawaii

Beer: Haw. Rev. Stat. § 244D-1; Haw. Rev. Stat. § 244D-4.
Wine: Haw. Rev. Stat. § 244D-1; Haw. Rev. Stat. § 244D-4.
Spirits: Haw. Rev. Stat. § 244D-1; Haw. Rev. Stat. § 244D-4.

Idaho

Beer: Idaho Code s. 23-1002; Idaho Code s. 23-1008; Idaho Code s. 23-1319; Idaho Admin. Code s. 35.01.09.011.

Illinois

Beer: 235 Ill. Comp. Stat. 5/1-3.04; 235 Ill. Comp. Stat. 5/8-1.
Wine: 235 Ill. Comp. Stat. 5/1-3.03; 235 Ill. Comp. Stat. 5/8-1.
Spirits: 235 Ill. Comp. Stat. 5/1-3.02; 235 Ill. Comp. Stat. 5/8-1; Ill. Admin. Code tit. 86, s. 420.10.

Indiana

Beer: Ind. Code § 7.1-1-3-5; Ind. Code § 7.1-1-3-6; Ind. Code § 7.1-4-2-1.
Wine: Ind. Code § 7.1-1-3-49; Ind. Code § 7.1-1-3-5; Ind. Code § 7.1-4-4-1; Ind. Code § 7.1-4-4-2
Spirits: Ind. Code § 7.1-1-3-21; Ind. Code § 7.1-4-3-1; Ind. Code § 7.1-4-4-2.

Iowa

Beer: Iowa Code § 123.130; Iowa Code § 123.136; Iowa Code § 123.3.
Wine: Iowa Code § 123.177; Iowa Code § 123.183; Iowa Code § 123.3.

Kansas

Beer: Kan. Stat. Ann. § 41-102; Kan. Stat. Ann. § 41-501; Kan. Stat. Ann. § 79-4101; Kan. Stat. Ann. § 41-2601; Kan. Stat. Ann. § 41-2701; Kan. Stat. Ann. § 79-41a01; Kan. Stat. Ann. § 79-41a02; Kan. Admin. Regs. § 92-24-12.
Wine: Kan. Stat. Ann. § 41-102; Kan. Stat. Ann. § 41-501; Kan. Stat. Ann. § 79-4101; Kan. Stat. Ann. § 79-41a01; Kan. Stat. Ann. § 79-41a02; Kan. Admin. Regs. § 92-24-12.
Spirits: Kan. Stat. Ann. § 41-102; Kan. Stat. Ann. § 41-501; Kan. Stat. Ann. § 79-4101; Kan. Stat. Ann. § 79-41a01; Kan. Stat. Ann. § 79-41a02; Kan. Admin. Regs. § 92-24-12.

Kentucky

Beer: Ky. Rev. Stat. Ann. § 241.010; Ky. Rev. Stat. Ann. § 243.720; Ky. Rev. Stat. Ann. § 243.884; Ky. Rev. Stat. Ann. § 139.310; Ky. Rev. Stat. Ann. § 139.340.
Wine: Ky. Rev. Stat. Ann. § 241.010; Ky. Rev. Stat. Ann. § 243.720; Ky. Rev. Stat. Ann. § 243.884; Ky. Rev. Stat. Ann. § 139.310; Ky. Rev. Stat. Ann. § 139.340.
Spirits: Ky. Rev. Stat. Ann. § 241.010; Ky. Rev. Stat. Ann. § 243.720; Ky. Rev. Stat. Ann. § 243.884; Ky. Rev. Stat. Ann. § 139.310; Ky. Rev. Stat. Ann. § 139.340.

Louisiana

Beer: La. Rev. Stat. Ann. § 26:241; La. Rev. Stat. Ann. § 26:341.
Wine: La. Rev. Stat. Ann. § 26:241; La. Rev. Stat. Ann. § 26:341; La. Rev. Stat. Ann. § 26:342.
Spirits La. Rev. Stat. Ann. § 26:241; La. Rev. Stat. Ann. § 26:341.

Maine

Beer: Me. Rev. Stat. Ann. tit. 28-A, § 2; Me. Rev. Stat. Ann. tit. 28-A, § 1652; Me. Rev. Stat. Ann. tit. 28-A, §1703; Me. Rev. Stat. Ann. tit. 36, § 1811; Me. Rev. Stat. Ann. tit. 28-A, § 1051.

Maryland

Beer: Md. Code Ann., Tax-Gen. § 5-101; Md. Code Ann., Tax-Gen. § 5-105.
Wine: Md. Code Ann., Tax-Gen. § 5-101; Md. Code Ann., Tax-Gen. § 5-105.
Spirits: Md. Code Ann., Tax-Gen. § 5-101; Md. Code Ann., Tax-Gen. § 5-105.

Massachusetts

Beer: Mass. Gen. Laws ch. 138, § 1; Mass. Gen. Laws ch. 138, § 12; Mass. Gen. Laws ch. 138, § 21; Mass. Gen. Laws ch. 63A, § 1.

Wine: Mass. Gen. Laws ch. 138, § 1; Mass. Gen. Laws ch. 138, § 12; Mass. Gen. Laws ch. 138, § 21; Mass. Gen. Laws ch. 63A, § 1.

Spirits: Mass. Gen. Laws ch. 138, § 1; Mass. Gen. Laws ch. 138, § 12; Mass. Gen. Laws ch. 138, § 21; Mass. Gen. Laws ch. 63A, § 1.

Michigan

Beer: Mich. Comp. Laws § 436.1105; Mich. Comp. Laws § 436.1409.

Wine: Mich. Comp. Laws § 436.1105; Mich. Comp. Laws § 436.1113; Mich. Comp. Laws § 436.1301.

Minnesota

Beer: Minn. Stat. § 295.75; Minn. Stat. § 297A.62; Minn. Stat. § 297G.01; Minn. Stat. § 297G.04; Minn. Stat. § 340A.101.

Wine: Minn. Stat. § 295.75; Minn. Stat. § 297A.62; Minn. Stat. § 297G.01; Minn. Stat. § 297G.04; Minn. Stat. § 340A.101.

Spirits: Minn. Stat. § 295.75; Minn. Stat. § 297A.62; Minn. Stat. § 297G.01; Minn. Stat. § 297G.04; Minn. Stat. § 340A.101.

Mississippi

Beer: Miss. Code Ann. § 27-71-301; Miss. Code Ann. § 27-71-307.

Missouri

Beer: Mo. Rev. Stat. § 311.020; Mo. Rev. Stat. § 311.490; Mo. Rev. Stat. § 311.520; 11 Mo. Code of State Regulations 70-2.080.

Wine: Mo. Rev. Stat. § 311.020; Mo. Rev. Stat. § 311.550; Mo. Rev. Stat. § 311.554; 11 Mo. Code of State Regulations 70-2.010.

Spirits: Mo. Rev. Stat. § 311.020; Mo. Rev. Stat. § 311.550.

Montana

Beer: Mont. Code Ann. § 16-1-102; Mont. Code Ann. § 16-1-106; Mont. Code Ann. § 16-1-406.

Nebraska

Beer: Neb. Rev. Stat. § 53-103; Neb. Rev. Stat. § 53-160.

Wine: Neb. Rev. Stat. § 53-103; Neb. Rev. Stat. § 53-160.

Spirits: Neb. Rev. Stat. § 53-103; Neb. Rev. Stat. § 53-160.

Nevada

Beer: Nev. Rev. Stat. § 369.010; Nev. Rev. Stat. § 369.040; Nev. Rev. Stat. § 369.330.

Wine: Nev. Rev. Stat. § 369.040; Nev. Rev. Stat. § 369.140; Nev. Rev. Stat. § 369.330; Nev. Rev. Stat. § 369.370.

Spirits: Nev. Rev. Stat. § 369.040; Nev. Rev. Stat. § 369.140; Nev. Rev. Stat. § 369.330; Nev. Rev. Stat. § 369.333; Nev. Rev. Stat. § 369.370.

New Hampshire

Beer: N.H. Rev. Stat. Ann. § 175:1; N.H. Rev. Stat. Ann. § 178:26; N.H. Code Admin. R. Liq 506.11.

New Jersey

Beer: N.J. Rev. Stat. § 54:41-2; N.J. Rev. Stat. § 54:43-1; N.J. Admin. Code tit. 18, § 18:3-2.1.
Wine: N.J. Rev. Stat. § 54:41-2, N.J. Rev. Stat. § 54:43-1; N.J. Admin. Code tit. 18, § 18:3-2.1.
Spirits: N.J. Rev. Stat. § 54:41-2, N.J. Rev. Stat. § 54:43-1; N.J. Admin. Code tit. 18, § 18:3-2.1.

New Mexico

Beer: N.M. Stat. Ann. § 7-17-2; N.M. Stat. Ann. § 7-17-5.
Wine: N.M. Stat. Ann. § 7-17-2; N.M. Stat. Ann. § 7-17-5.
Spirits: N.M. Stat. Ann. § 7-17-2; N.M. Stat. Ann. § 7-17-5.

New York

Beer: N.Y. Tax § 420; N.Y. Tax § 424.
Wine: N.Y. Tax § 420; N.Y. Tax § 424.
Spirits: N.Y. Tax § 420; N.Y. Tax § 424.

North Carolina

Beer: N.C. Gen. Stat. § 18B-101; N.C. Gen. Stat. § 105-113.68; N.C. Gen. Stat. § 105-113.80.
Wine: N.C. Gen. Stat. § 18B-101; N.C. Gen. Stat. § 105-113.68; N.C. Gen. Stat. § 105-113.80.

North Dakota

Beer: N.D. Cent. Code § 5-01-01; N.D. Cent. Code § 5-03-07; N.D. Cent. Code § 57-39.6-01; N.D. Cent. Code § 57-39.6-02; N.D. Cent. Code § 57-39.6-03.
Wine: N.D. Cent. Code § 5-01-01; N.D. Cent. Code § 5-03-07, N.D. Cent. Code § 57-39.6-01; N.D. Cent. Code § 57-39.6-02; N.D. Cent. Code § 57-39.6-03.
Spirits: N.D. Cent. Code § 5-01-01; N.D. Cent. Code § 5-03-07; N.D. Cent. Code § 57-39.6-01; N.D. Cent. Code § 57-39.6-02; N.D. Cent. Code § 57-39.6-03.

Ohio

Beer: Ohio Rev. Code Ann. § 4301.01; Ohio Rev. Code Ann. § 4301.42; Ohio Rev. Code Ann. § 4305.01; Ohio Admin. Code § 5703-17-01.
Wine: Ohio Rev. Code Ann. § 4301.01; Ohio Rev. Code Ann. § 4301.43; Ohio Rev. Code Ann. § 4301.432.

Oklahoma

Beer: Okla. Stat. tit. 37, § 506; Okla. Stat. tit. 37, § 542; Okla. Stat. tit. 37, § 553; Okla. Admin. Code § 710:20-1-2; Okla. Admin. Code § 710:20-3-3; Okla. Admin. Code § 710:20-5-1.
Wine: Okla. Stat. tit. 37, § 506; Okla. Stat. tit. 37, § 553; Okla. Admin. Code § 710:20-1-2; Okla. Admin. Code § 710:20-3-3; Okla. Admin. Code § 710:20-5-1.

Spirits: Okla. Stat. tit. 37, § 506; Okla. Stat. tit. 37, § 553; Okla. Stat. tit. 37, § 576; Okla. Stat. tit. 37, § 579; OK Const. Art. 28, § 7; Okla. Admin. Code § 710:20-1-2; Okla. Admin. Code § 710:20-3-3; Okla. Admin. Code § 710:20-5-1; Okla. Admin. Code § 710:20-5-3; Okla. Admin. Code § 710:20-5-4.

Oregon

Beer: Or. Rev. Stat. § 471.001; Or. Rev. Stat. § 473.030.

Pennsylvania

Beer: 72 Pa. Cons. Stat. § 9002; 72 Pa. Cons. Stat. § 9003; 61 Pa. Code § 60.7; 61 Pa. Code § 74.11; 61 Pa. Code § 74.12.

Rhode Island

Beer: R.I. Gen. Laws § 3-1-1; R.I. Gen. Laws § 3-10-1.
Wine: R.I. Gen. Laws § 3-1-1; R.I. Gen. Laws § 3-10-1.
Spirits: R.I. Gen. Laws § 3-1-1; R.I. Gen. Laws § 3-10-1.

South Carolina

Beer: S.C. Code Ann. § 12-21-1010; S.C. Code Ann. § 12-21-1020; S.C. Code Ann. § 12-21-1030; S.C. Code of Regulations R. 7-701.
Wine: S.C. Code Ann. § 12-21-1010; S.C. Code Ann. § 12-21-1020; S.C. Code Ann. § 12-21-1030; S.C. Code Ann. § 12-21-1050; S.C. Code Ann. § 12-21-1310; S.C. Code Ann. § 12-21-1320; S.C. Code of Regulations R. 7-701.
Spirits: S.C. Code Ann. § 12-33-20; S.C. Code Ann. § 12-33-230; S.C. Code Ann. § 12-33-240; S.C. Code Ann. § 12-33-245; S.C. Code Ann. § 12-33-425; S.C. Code Ann. § 12-36-910; S.C. Code Ann. § 61-4-10; S.C. Code Ann. § 61-6-20.

South Dakota

Beer: S.D. Codified Laws § 35-1-1; S.D. Codified Laws § 35-5-3; S.D. Codified Laws § 35-5-3.2; S.D. Admin. R. 64:06:03:04.
Wine: S.D. Codified Laws § 35-1-1; S.D. Codified Laws § 35-5-2; S.D. Codified Laws § 35-5-3;
Spirits: S.D. Codified Laws § 35-5-6.1; S.D. Admin. R. 64:06:03:04.

Tennessee

Beer: Tenn. Code Ann. § 57-3-101; Tenn. Code Ann. § 57-5-101; Tenn. Code Ann. § 57-5-102; Tenn. Code Ann. § 57-4-302; Tenn. Code Ann. § 57-5-201; Tenn. Code Ann. § 57-6-102; Tenn. Code Ann. § 57-6-103; Tenn. Code Ann. § 67-6-202; Tenn. Code Ann. § 67-6-102;
Wine: Tenn. Code Ann. § 67-6-228.
Spirits: Tenn. Code Ann. § 57-3-101; Tenn. Code Ann. § 57-3-302; Tenn. Code Ann. § 57-3-303; Tenn. Code Ann. § 57-4-102; Tenn. Code Ann. § 57-4-301; Tenn. Code Ann. § 57-4-302; Tenn. Code Ann. § 67-6-202; Tenn. Code Ann. § 67-6-228; Tenn. Comp. R. & Regs. 1320-4-6-.04.

Texas

Beer: Tex. Alco. Bev. Code Ann. § 1.04; Tex. Alco. Bev. Code Ann. § 203.01; Tex. Alco. Bev. Code Ann. § 201.41; Tex. Alco. Bev. Code Ann. § 201.42.

Wine: Tex. Alco. Bev. Code Ann. § 1.04; Tex. Alco. Bev. Code Ann. § 201.02; Tex. Alco. Bev. Code Ann. § 201.04.

Spirits: Tex. Alco. Bev. Code Ann. § 1.04; Tex. Alco. Bev. Code Ann. § 201.03; Tex. Tax Code Ann. § 151.051; Tex. Tax Code Ann. § 151.054; Tex. Tax Code Ann. § 183.001; Tex. Tax Code Ann. § 183.021; Tex. Admin. Code tit. 16, § 41.50; Tex. Admin. Code tit. 34, § 3.1001; Tex. Admin. Code tit. 34, § 3.289.

Vermont

Beer: Vt. Stat. Ann. tit. 7, § 2; Vt. Stat. Ann. tit. 7, § 421; Vt. Stat. Ann. tit. 32, § 9202; Vt. Stat. Ann. tit. 32, § 9241; Vt. Stat. Ann. tit. 32, § 9242; Vt. Stat. Ann. tit. 32, § 9771.

Wine: Vt. Stat. Ann. tit. 7, § 2; Vt. Stat. Ann. tit. 7, § 421; Vt. Stat. Ann. tit. 32, § 9202; Vt. Stat. Ann. tit. 32, § 9241; Vt. Stat. Ann. tit. 32, § 9242; Vt. Stat. Ann. tit. 32, § 9771.

Virginia

Beer: Va. Code Ann. § 4.1-100; Va. Code Ann. § 4.1-236.

West Virginia

Beer: W. Va. Code § 11-16-3; W. Va. Code § 11-16-13; W. Va. Code § 60-1-5.

Wisconsin

Beer: Wis. Stat. § 125.02; Wis. Stat. § 139.02.

Wine: Wis. Stat. § 139.01; Wis. Stat. § 139.03.

Spirits: Wis. Stat. § 139.01; Wis. Stat. § 139.03; Wis. Stat. § 139.04; Wis. Stat. § 139.06.

Wyoming

Beer: Wyo. Stat. Ann. § 12-1-101; Wyo. Stat. Ann. § 12-3-101.

Wholesale Pricing

Alabama

Ala.Code 1975 § 28-3-4; Ala.Code 1975 § 28-7-22; Ala. Admin. Code r. 20-X-8-.09.

Arizona

Ariz. Rev. Stat § 4-242; Ariz. Rev. Stat § 4-243; Ariz. Admin. Code R19-1-226.

Arkansas

Ark. Admin. Code 006.02.2-2.29; Ark. Admin. Code 006.02.2-2.31.

California

Cal. Bus. & Prof. Code § 25000; Cal. Bus. & Prof. Code § 25001; Cal. Bus. & Prof. Code § 25002; Cal. Bus. & Prof. Code § 25003; Cal. Bus. & Prof. Code § 25509; Cal. Admin. Code tit. 4, § 105.

Colorado

Co. Rev. Stat. § 12-47-202; Co. Rev. Stat. § 12-47-308; 1 Colo. Code Regs. 203-2:47-322; 1 Colo. Code Regs. 203-2:47-323.

Connecticut

Conn. Gen. Stat. § 30-48; Conn. Gen. Stat. § 30-63; Conn. Gen. Stat. § 30-64; Conn. Gen. Stat. § 30-64a; Conn. Gen. Stat. § 30-68; Conn. Gen. Stat. § 30-68i; Conn. Gen. Stat. § 30-68k; Conn. Gen. Stat. § 30-68l; Conn. Agencies Regs. § 30-6-A36; Conn. Agencies Regs. § 30-6-B12.

Delaware

Del.Code Ann. tit. 4 § 304; 4 Del. Admin. Code 2; 4 Del. Admin. Code 29; 4 Del. Admin. Code 56.

District of Columbia

DC Code Ann § 25-731; DC Code Ann § 25-735.

Florida

Fla. Stat. Ann. § 561.01; Fla. Stat. Ann. § 561.42; Fla. Stat. Ann. § 563.022; Fla. Stat. Ann. § 563.065; Fla. Admin. Code r. 61A-1.006; Fla. Admin. Code r. 61A-4.013; Fla. Admin. Code r. 61A-4.031; Fla. Admin. Code r. 61A-4.0461.

Georgia

Ga Comp. R. & Regs. 560-2-2-.13; Ga Comp. R. & Regs. 560-2-3-.09; Ga Comp. R. & Regs. 560-2-4-.07; Ga Comp. R. & Regs. 560-2-17-.02.

Hawaii

Haw. Rev. Stat. § 281-42.

Idaho

Idaho Code § 23-1001; Idaho Code § 23-1003; Idaho Code § 23-1029; Idaho Code § 23-1031.

Illinois

235 Ill. Comp. Stat. 5/6-5; Ill. Admin. Code tit. 11, § 100.90.

Indiana

Ind. Code § 7.1-5-5-7; Ind. Code § 7.1-5-10-12; Ind. Admin. Code tit. 905, r. 1-21-1; Ind. Admin. Code tit. 905, r. 1-31-1; Ind. Admin. Code tit. 905, r. 1-31-2.

Iowa

Iowa Code §123.45; Iowa Admin. Code 185-16.7(123); Iowa Admin. Code 185-14.5(123).

Kansas

Kan. Stat. Ann. § 41-702; Kan. Stat. Ann. § 41-703; Kan. Stat. Ann. § 41-728; Kan. Stat. Ann. § 41-1101; Kan. Stat. Ann. § 41-2705; Kan. Stat. Ann. § 41-2707; Kan. Admin. Regs. 14-13-13; Kan. Admin. Regs. 14-14-8; Kan. Admin. Regs. 14-14-11.

Kentucky

Ky. Rev. Stat. Ann. § 243.170; Ky. Rev. Stat. Ann. § 244.040.

Louisiana

La. Rev. Stat. Ann. § 26:148; La. Rev. Stat. Ann. § 26:241; La. Rev. Stat. Ann. § 26:287; La. Rev. Stat. Ann. § 26:741; La. Admin Code. tit. 55, pt. VII, § 101; La. Admin Code. tit. 55, pt. VII, § 103; La. Admin Code. tit. 55, pt. VII, § 105; La. Admin Code. tit. 55, pt. VII, § 301; *Manuel v. State Office of Alcohol and Tobacco Control*, 982 So.2d 316 (La. App. 3 Cir. 4/30/08), La. Atty. Gen. Op. No. 09-0135 (2009).

Maine

Me. Rev. Stat. Ann. tit. 28-A, § 2; Me. Rev. Stat. Ann. tit. 28-A, § 705; Me. Rev. Stat. Ann. tit. 28-A, § 708; Me. Rev. Stat. Ann. tit. 28-A, § 1408.

Maryland

MD Code, art. 2B, § 1-102; MD Code, art. 2B, § 12-103; MD Code, art. 2B, § 12-112; Md. Comp. Treas. 03.02.01.04; Md. Comp. Treas. 03.02.01.05; Md. Comp. Treas. 03.02.01.16.

Massachusetts

Mass. Gen. Laws ch. 138, § 1; Mass. Gen. Laws ch. 138, § 25; Mass. Gen. Laws ch. 138, § 25B; Mass. Gen. Laws ch. 138, § 25C; Mass. Regs. Code tit. 204 § 2.14; Mass. Regs. Code tit. 204 § 3.02; Mass. Regs. Code tit. 204 § 6.03; Mass. Regs. Code tit. 204 § 6.04; Mass. Regs. Code tit. 204 § 6.05.

Michigan

Mich. Comp. Laws. § 436.1105; Mich. Comp. Laws. § 436.1107; Mich. Comp. Laws. § 436.1109; Mich. Comp. Laws. § 436.1111; Mich. Comp. Laws. § 436.1113; Mich. Comp. Laws. § 436.1113a; Mich. Comp. Laws. § 436.2013; Mich. Admin. Code r. 436.1625; Mich. Admin. Code r. 436.1726.

Minnesota

Minn. Stat. § 340A.308; Minn. Stat. § 340A.312; Minn. Stat. § 340A.318; Minn. R. 7515.0310.

Mississippi

Miss. Code Ann. § 67-3-5; Miss. Code Ann. § 67-3-45.

Missouri

Mo. Rev. Stat. § 311.265; Mo. Code Regs. Ann. tit. 11, § 70-2.010; Mo. Code Regs. Ann. tit. 11, § 70-2.190.

Montana

Mont. Code Ann. § 16-3-243; Mont. Code Ann. § 16-3-406; Mont. Admin. R. 42.13.109.

Nebraska

Neb. Rev. St. § 53-168; 237 Neb. Admin. Code ch. 6, § 018.

Nevada

Nev. Rev. Stat. 369.040; Nev. Rev. Stat. 369.470; Nev. Rev. Stat. 369.485

New Hampshire

N.H. Rev. Stat. § 179:11; N.H. Rev. Stat. § 179:13; N.H. Rev. Stat. § 179:33; N.H. Code Admin R. Liq 506.01; N.H. Code Admin. R. Liq 506.04; N.H. Code Admin. R. Liq 506.13.

New Jersey

N.J. Admin Code tit. 13, § 2-24.1; N.J. Admin Code tit. 13, § 2-24.4; N.J. Admin Code tit. 13, § 2-24.6; N.J. Admin Code tit. 13, § 2-24.8.

New Mexico

N.M. Stat. Ann. § 60-3A-3; N.M. Stat. Ann. § 60-7A-9; N.M. Admin. Code 15.10.53.

New York

N.Y. Alco. Bev. Cont. Law § 101-aa; N.Y. Alco. Bev. Cont. Law § 101-aaa; N.Y. Alco. Bev. Cont. Law § 101-b; N.Y. Comp. Codes R. & Regs. tit. 9, § 65.1; N.Y. Comp. Codes R. & Regs. tit. 9, § 65.3; N.Y. Comp. Codes R. & Regs. tit. 9, § 65.7; N.Y. Comp. Codes R. & Regs. tit. 9, § 68.3; N.Y. Comp. Codes R. & Regs. tit. 9, § 70.1.

North Carolina

N.C. Admin. Code tit. 4, r. 2S.1009; N.C. Admin. Code tit. 4, r. 2T.0604; N.C. Admin. Code tit. 4, r. 2T.0705; N.C. Admin. Code tit. 4, r. 2T.0711.

North Dakota

N.D. Cent. Code § 5-01-11; N.D. Cent. Code § 5-04-12; N.D. Admin. Code § 81-12-01-08; N.D. Admin. Code § 81-12-01-09; N.D. Admin. Code § 81-12-01-12.

Ohio

Ohio Rev. Code Ann. § 4301.13; Ohio Rev. Code Ann. § 4301.24; Ohio Admin. Code § 4301:1-1-03; Ohio Admin. Code § 4301:1-1-43; Ohio Admin. Code § 4301:1-1-73.

Oklahoma

Okla. Stat. tit. 37, § 535; Okla. Stat. tit. 37, § 536; Okla. Admin. Code 45:10-3-13; Okla. Admin. Code 45:10-3-26; Okla. Admin. Code 45:30-3-6; Okla. Admin. Code 45:30-3-7; Okla. Admin. Code 45:30-3-8; Okla. Admin. Code 45:30-5-6; Okla. Admin. Code 45:30-5-7; Okla. Admin. Code 45:30-5-8.

Oregon

Or. Rev. Stat. § 471.398; Or. Rev. Stat. § 471.485; Or. Rev. Stat. § 474.115; Or. Rev. Stat. § 471.490; Or. Admin. R. 845-010-0200; Or. Admin. R. 845-010-0210.

Pennsylvania

47 Pa. Cons. Stat. § 1-102; 47 Pa. Cons. Stat. § 4-441; 47 Pa. Cons. Stat. § 4-447; 47 Pa. Cons. Stat. § 4-493; 40 Pa. Code § 9.95.

South Carolina

S.C. Code Ann. § 61-4-30; S.C. Code Ann. § 61-4-40; S.C. Code Ann. § 61-4-735; S.C. Code Ann. § 61-4-940; S.C. Code Ann. § 61-6-1300; S.C. Code Ann § 61-6-2430.

South Dakota

S.D. Codified Laws § 35-1-1; S.D. Codified Laws § 37-10A-1; S.D. Admin. R. 64:75:03:02; S.D. Admin. R. 64:75:03:03; S.D. Admin. R. 64:75:03:04; S.D. Admin. R. 64:75:03:09; S.D. Admin. R. 64:75:03:10; S.D. Admin. R. 64:75:04:02; S.D. Admin. R. 64:75:08:01; S.D. Admin. R. 64:75:08:12; S.D. Admin. R. 64:75:08:13.

Tennessee

Tenn. Code Ann. § 57-3-404; Tenn. Code Ann. § 57-4-102; Tenn. Code Ann. § 57-5-101; Tenn. Code Ann. § 57-6-104; Tenn. Code Ann. § 57-6-108; Tenn. Comp. R. & Regs. 0100-06-.04.

Texas

Tex. Alco. Bev. Code § 1.04; Tex. Alco. Bev. Code § 102.01; Tex. Alco. Bev. Code § 102.07; Tex. Alco. Bev. Code § 102.31; Tex. Alco. Bev. Code § 102.32.

Vermont

Vt. Stat. Ann. tit. 7, § 2; Vt. Admin. Code 14-1-3; Vt. Admin. Code 14-1-6; Vt. Admin. Code 14-1-8.

Virginia

Va. Code Ann. § 4.1-100; Va. Code Ann. § 4.1-216; Va. Code Ann. § 4.1-324; 3 Va. Admin. Code § 5-30-30; 3 Va. Admin. Code § 5-30-40; 3 Va. Admin. Code § 5-70-150.

West Virginia

W. Va. Code, § 11-16-3; W. Va. Code, § 11-16-6; W. Va. Code § 11-16-18; W. Va. Code, § 60-8-22; W. Va. Code, § 60-8-23; W. Va. Code, § 60-8-31; W. Va. Code St. R. § 175-1-2; W. Va. Code St. R. § 175-4-2; W. Va. Code St. R. § 175-4-4; W. Va. Code St. R. § 176-1-6.

Wisconsin

Wis. Stat. § 100.30; Wis. Stat. § 125.33; Wis. Stat. § 125.54; Wis. Stat. § 125.69.

Wyoming

Wyo. Stat. Ann. § 12-1-101; Wyo. Stat. Ann. § 12-2-201; Wyo. Stat. Ann. § 12-5-402; WY Rules and Regulations REV LD Ch. 20 § 8.

APPENDIX D: ICCPUD Members

Pamela S. Hyde, J.D. (Chair)

Administrator
Substance Abuse and Mental Health Services
Administration
U.S. Department of Health and Human
Services

**Regina M. Benjamin, M.D., M.B.A.,
VADM, USPHS**

Surgeon General
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Services

Michael L. Brown

Director
Office of Impaired Driving and Occupant
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National Highway Traffic Safety
Administration
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Janet Collins, Ph.D.

Associate Director for Program
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Services

Mary K. Engle, J.D.

Associate Director
Division of Advertising Practices, Bureau of
Consumer Protection
Federal Trade Commission

David Esquith

Acting Director
Office of Safe and Healthy Students
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Melodee Hanes, J.D.

Acting Administrator
Office of Juvenile Justice and Delinquency
Prevention
Office of Justice Programs
U.S. Department of Justice

Peter Kemper, Ph.D.

Deputy Assistant Secretary for Disability and
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Services

Howard K. Koh, M.D., M.P.H.

Assistant Secretary for Health
U.S. Department of Health and Human
Services

Warren E. Lockette, M.D.

Deputy Assistant Secretary of Defense for
Clinical and Program Policy
Office of the Assistant Secretary of Defense
for Health Affairs
U.S. Department of Defense

David K. Mineta, M.S.W.

Deputy Director of Demand Reduction
Office of National Drug Control Policy

Mary G. Ryan, J.D.

Deputy Administrator
Alcohol and Tobacco Tax and Trade Bureau
U.S. Treasury Department

Bryan Samuels, M.P.P.

Commissioner
Administration on Children, Youth and
Families
Administration for Children and Families
U.S. Department of Health and Human
Services

Nora D. Volkow, M.D.

Director
National Institute on Drug Abuse
National Institutes of Health
U.S. Department of Health and Human
Services

Rose L. Weahkee, Ph.D.

Director, Division of Behavioral Health
Office of Clinical and Preventative Services
Indian Health Service
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Services

Kenneth R. Warren, Ph.D.

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Alcoholism
National Institutes of Health
U.S. Department of Health and Human
Services

APPENDIX E: Caffeinated Alcoholic Beverages

Federal and State Actions Regarding Caffeinated Alcoholic Beverages

Introduction⁴⁵

Caffeinated alcoholic beverages (CABs) are premixed beverages that combine alcohol, caffeine, and other stimulants. They may be malt- or distilled spirits-based and usually have higher alcohol content than beer (e.g., 5 percent to 12 percent on average for CABs and 4 percent to 5 percent for beer). The caffeine content in these beverages is usually not reported. Some CABs are packaged in cans of up to 23.5 ounces with alcohol content up to 12 percent, resulting in a product that contains between four and five standard servings of alcohol (FTC 2010).⁴⁶ CABs experienced rapid growth in popularity between 2002 (the first year of significant CAB production) and 2008; the two leading brands together experienced a 67-fold increase in sales, from 337,500 gallons to 22,905,000 gallons during this period.

CABs capitalized on the increasingly popular practice (particularly among youth) of mixing nonalcoholic energy drinks with alcoholic beverages. Energy drinks are beverages that typically contain caffeine, other plant-based stimulants, simple sugars, and other additives. They are very popular among youth and are regularly consumed by 31 percent of 12- to 17-year-olds and 34 percent of 18- to 24-year-olds.

The National Institute on Alcohol Abuse and Alcoholism (NIAAA) funded studies in both animals and humans that elucidated the dangers of combining alcohol and caffeine. Based on these and other studies, the CDC (2010) reported:

- When alcoholic beverages are mixed with energy drinks, the caffeine in these drinks can mask the depressant effects of alcohol. At the same time, caffeine has no effect on the metabolism of alcohol by the liver and thus does not reduce breath alcohol concentrations or reduce the risk of alcohol-attributable harms.
- Drinkers who consume alcohol mixed with energy drinks are three times more likely to binge drink (based on breath alcohol levels) than drinkers who do not report mixing alcohol with energy drinks.
- Drinkers who consume alcohol with energy drinks are about twice as likely as drinkers who do not report mixing alcohol with energy drinks to report being taken advantage of sexually, to report taking advantage of someone else sexually, and to report riding with a driver who was under the influence of alcohol.

CABs have been heavily marketed in youth-friendly media (e.g., on web sites with downloadable images) and with youth-oriented graphics and messaging (e.g., connected with extreme sports or other risk-taking behaviors).

⁴⁵ CDC (no date). Caffeinated Alcoholic Beverages Fact Sheet. Available at: <http://www.cdc.gov/alcohol/fact-sheets/cab.htm> (accessed October 21, 2011).

⁴⁶ FTC (2010). FTC sends warning letters to marketers of Caffeinated Alcohol Drinks, November 17, 2010. Available at: <http://www.ftc.gov/opa/2010/11/alcohol.shtm>.

This Appendix describes the actions taken by State and Federal agencies and officials to remove these products from the marketplace.

Action by State Attorneys General

State Attorneys General took the following actions to reduce access of CABs to underage and young adult drinkers.

May 2007: Twenty-nine State Attorneys General sent a letter to the Anheuser-Busch Company urging the company to discontinue the production and distribution of Spykes (a CAB containing 12 percent alcohol and marketed in 2-ounce containers). The Anheuser-Busch Company removed Spykes from the marketplace shortly thereafter in response to the concerns raised by the Attorneys General as well as by other public health, safety, and community groups.⁴⁷

August 2007: Thirty State Attorneys General sent a letter to the Alcohol and Tobacco Trade and Tax Bureau (TTB) requesting that the Bureau investigate the promotional claims made regarding CABs and to take appropriate enforcement action against manufacturers who make misleading health-related statements.⁴⁸

June 2008: Anheuser-Busch Company signed an agreement with 11 State Attorneys General to remove caffeine and other stimulants from Tilt and Bud Extra (the company's AEDs) and refrain from producing or marketing CABs in the future.⁴⁹

December 2008: MillerCoors Company signed a voluntary agreement with 13 State Attorneys General and the City and County of San Francisco to remove caffeine and other stimulants from Sparks (the market leader at that time) and refrain from marketing CABs in the future. The agreement includes restrictions on marketing the reformulated Sparks brand designed to reduce the product's appeal to underage drinkers.⁵⁰

September 2009: The Co-Chairs of the National Association of Attorneys General Youth Access to Alcohol Committee (on behalf of 17 State Attorneys General, the Attorney General of the Territory of Guam, and the City Attorney of San Francisco) sent a letter to Dr. Margaret A. Hamburg, Commissioner of the Federal Drug Administration (FDA) requesting Federal action to address the marketing and distribution of CABs.⁵¹ A letter to the NAAG Committee from five research scientists was included in the submission to FDA.⁵² The scientists' letter summarized research regarding the health and safety risks associated with CABs. The State Attorneys General letter concluded: "We ask the FDA to use its authority under the Federal Drug and Cosmetics Act to cause the immediate removal of [CABs] from the marketplace."

⁴⁷ Attorneys General letter to August A. Busch IV, President and Chief Executive Officer, Anheuser Busch company, Inc. May 10, 2007. Available at: <http://www.ct.gov/ag/lib/ag/children/attorneysgenerallettertoanheuserbuschrealcoholenergydrinks.pdf>.

⁴⁸ Attorneys General letter to John J. Manfreda, Administrator, Alcohol and Tobacco Tax and Trade Bureau, August 20, 2007. Available at: http://www.doi.state.or.us/releases/pdf/yaa_ttb_letter_final_w_sigs_8172007.pdf

⁴⁹ In re: Anheuser Busch, Inc. Assurance of Voluntary Compliance and Voluntary Discontinuance, June 10, 2008. Available at: <http://www.oag.state.md.us/Reports/A-B%20AVC%20Final.pdf>.

⁵⁰ In re: MillerCoors. Assurance of Voluntary Compliance and Voluntary Discontinuance, December 18, 2008. Available at: http://www.state.ia.us/government/ag/latest_news/releases/dec_2008/MillerCoors_AVC8.pdf

⁵¹ Attorneys General letter to Dr. Margaret A. Hamburg, Commissioner of the Federal Drug Administration, September 25, 2009. Available at: <http://www.fda.gov/downloads/Food/FoodIngredientsPackaging/UCM190371.pdf>

⁵² Caffeinated Alcoholic Beverages Letter to FDA from Scientists (September 21, 2009). Available at: <http://www.fda.gov/downloads/Food/FoodIngredientsPackaging/UCM190372.pdf>

Federal Actions To Remove CABs from the Marketplace

Federal Drug Administration (FDA)

On November 13, 2009, the FDA sent letters notifying nearly 30 CAB producers of FDA's intent to examine the safety and legality of their products.⁵³ The letters requested that the companies submit evidence that the use of caffeine in alcoholic beverages is Generally Recognized as Safe (GRAS) under applicable provisions of the Food, Drug, and Cosmetics Act and FDA regulations. It also alerted them that if FDA determined that the use of caffeine in alcoholic beverages is not GRAS, or subject to a relevant exception, that the FDA would take action to remove the products from the marketplace. A sample of the letters was posted on the FDA website, together with the letters from the State Attorneys General and the research scientists.⁵⁴

On November 17, 2010, FDA, after completing its investigation and review, sent Warning Letters to four producers of malt-based CABs (Phusion Projects, maker of Four Loko; United Brands, producer of Joose; Charge Beverages Corporation, producer of Core; New Century Brewing Company, producer of Moonshot). The letters informed the companies of the FDA's conclusion that their products were adulterated under relevant statutes and regulations and instructing the companies to take appropriate action to correct the violation of law and to insure that there are no recurrences.⁵⁵

Federal Trade Commission (FTC)

On October 6, 2009, following an investigation, the FTC entered into a consent agreement with Constellation Brands, producers of Wide Eye, a distilled spirits-based CAB. The company agreed not to make any representation that the consumers of Wide Eye would remain alert or that the caffeine and other stimulants in the product would counteract the effects of alcohol.⁵⁶

On November 17, 2010, FTC sent notices of potential illegal marketing to the same four companies that received Warning Letters from the FDA. The notices alerted the companies that their marketing of CABs may constitute an unfair or deceptive practice or act under the Federal Trade Commission Act. The letter documented specific incidents involving underage persons who were injured as a result of consuming the companies' products.⁵⁷

Alcohol and Tobacco Tax and Trade Bureau (TTB)

On November 18, 2010, the TTB sent letters to the same four companies producing malt-based CABs that received warning letters from the FDA and FTC. The letters alerted the companies that products that are adulterated under the statutes and regulations enforced by the FDA are mislabeled under the Federal Alcohol Administration Act and requesting the companies to advise TTB of steps taken to correct the violations within 15 days.⁵⁸

⁵³ FDA (2009). FDA to Examine the Safety of Caffeinated Alcoholic Beverages. Consumer Updates, November 13, 2009. Available at: <http://www.fda.gov/ForConsumers/ConsumerUpdates/ucm190364.htm>

⁵⁴ <http://www.fda.gov/downloads/Food/FoodIngredientsPackaging/UCM190371.pdf>

⁵⁵ FDA (2010). Caffeinated Alcoholic Beverages, November 17, 2010. Available at:

<http://www.fda.gov/Food/FoodIngredientsPackaging/ucm190366.htm>

⁵⁶ FTC (2009). In the matter of Constellation Brands, Inc. a corporation. FTC file No. 092 3035, October 6, 2009. Available at: <http://www.ftc.gov/os/caselist/0923035/index.shtm>

⁵⁷ FTC (2010). FTC sends warning letters to marketers of Caffeinated Alcohol Drinks, November 17, 2010. Available at: <http://www.ftc.gov/opa/2010/11/alcohol.shtm>

⁵⁸ TTB (2010). Alcohol beverages with added caffeine, November 18, 2010. Available at: http://www.ttb.gov/main_pages/caffeine-added.shtml

CAB Producers Remove Products from the Marketplace

In response to the FDA, FTC, and TTB letters and notices, the four companies ceased production of CABs. In some States, the CABs were removed from retail outlets and wholesale facilities pursuant to immediate actions taken by State agencies and officials. In other States the producers were allowed to deplete the existing stocks of their products. The producers reformulated their products to remove caffeine and other stimulants and then reintroduced them shortly after the Federal action. Other malt-based CAB producers have followed their lead and ceased production of these products. By the summer of 2011, it appeared that, with few (if any) exceptions, malt-based CABs were no longer available in the United States. However, distilled spirits-based CABs are still available in many locations.

The events leading up to the discontinuance of malt-based CABs in the market place demonstrate the effectiveness of coordinating action between Federal and State officials and among Federal agencies. These potentially dangerous products that posed risks to youth and young adults because of their link to binge drinking are no longer available as a result of this collaboration.

APPENDIX F: DSM-IV-TR Diagnostic Criteria for Alcohol Abuse and Dependence⁵⁹

Alcohol Abuse

(A) A maladaptive pattern of drinking, leading to clinically significant impairment or distress, as manifested by at least one of the following occurring within a 12-month period:

- Recurrent use of alcohol resulting in a failure to fulfill major role obligations at work, school, or home (e.g., repeated absences or poor work performance related to alcohol use; alcohol-related absences, suspensions, or expulsions from school; neglect of children or household).
- Recurrent alcohol use in situations in which it is physically hazardous (e.g., driving an automobile or operating a machine when impaired by alcohol use).
- Recurrent alcohol-related legal problems (e.g., arrests for alcohol-related disorderly conduct).
 - Continued alcohol use despite having persistent or recurrent social or interpersonal problems caused or exacerbated by the effects of alcohol (e.g., arguments with spouse about consequences of intoxication).

(B) Never met criteria for alcohol dependence.

Alcohol Dependence

(A) A maladaptive pattern of drinking, leading to clinically significant impairment or distress, as manifested by three or more of the following occurring at any time in the same 12-month period:

- Need for markedly increased amounts of alcohol to achieve intoxication or desired effect; or markedly diminished effect with continued use of the same amount of alcohol.
- The characteristic withdrawal syndrome for alcohol (or a closely related substance) or drinking to relieve or avoid withdrawal symptoms.
- Persistent desire or one or more unsuccessful efforts to cut down or control drinking.
- Drinking in larger amounts or over a longer period than intended.
- Important social, occupational, or recreational activities given up or reduced because of drinking.
- A great deal of time spent in activities necessary to obtain, to use, or to recover from the effects of drinking.
 - Continued drinking despite knowledge of having a persistent or recurrent physical or psychological problem that is likely to be caused or exacerbated by drinking.

(B) No duration criterion separately specified, but several dependence criteria must occur repeatedly as specified by duration qualifiers associated with criteria (e.g., “persistent,” “continued”).

⁵⁹ American Psychiatric Association (APA). *Diagnostic and Statistical Manual of Mental Disorders*, Fourth Edition., text revision. Washington, DC: APA, 2000.

APPENDIX G: Abbreviations

Federal Departments and Agencies

Department of Defense	DoD
Department of Education	ED
Office of Safe and Drug-Free Schools	OSDFS
Office of Elementary and Secondary Education	OESE
Department of Health and Human Services	HHS
Administration for Children and Families	ACF
Family and Youth Service Bureau	FYSB
Agency for Healthcare Research and Quality	AHRQ
Centers for Disease Control and Prevention	CDC
Center for Medicaid Services	CMS
Health Resources and Services Administration	HRSA
National Institute on Alcohol Abuse and Alcoholism	NIAAA
National Institute on Drug Abuse	NIDA
Office of Public Health and Science	OPHS
Office of the Surgeon General	OSG
Substance Abuse and Mental Health Services Administration	SAMHSA
Center for Mental Health Services	CMHS
Center for Substance Abuse Prevention	CSAP
Center for Substance Abuse Treatment	CSAT
Office of Applied Studies	OAS
Department of Justice	DoJ
Office of Juvenile Justice and Delinquency Prevention	OJJDP
Office of Justice Programs	OJP
Department of Labor	DOL
Employment Training Administration	ETA
Office of Youth Services	OYS
Occupational Safety and Health Administration	OSHA
Office of National Drug Control Policy	ONDCP
Department of Transportation	DOT
National Highway and Traffic Safety Administration	NHTSA

Federal Programs and Agencies

Access to Recovery	ATR
Addiction Technology Transfer Center	ATTC
Administration for Children and Families	ACF
Agency for Health Care Research and Quality	AHRQ
Alcohol Policy Information System	APIS
Basic Center Program	BCP
Behavioral Risk Factor Surveillance System	BRFSS

Birth Control and Alcohol Awareness: Negotiating Choices Effectively Project	BALANCE
Center for Behavioral Health Statistics and Quality	CBHSQ
Centers for Disease Control and Prevention	CDC
Centers for Medicare and Medicaid Services	CMS
Center for Mental Health Services	CMHS
Community Anti-Drug Coalitions of America	CADCA
Drug Abuse Resistance Education	DARE
Department of Defense	DoD
Department of Education	ED
Department of Health and Human Services	HHS
Department of Justice	DoJ
Department of Labor	DOL
Department of Transportation	DOT
Drug and Alcohol Services Information System	DASIS
Drug Free Communities Program	DFC
Employment Training Administration	ETA
Enforcing the Underage Drinking Laws	EUDL
Family and Youth Services Bureau	FYSB
Fatality Analysis Reporting System	FARS
Federal Alcohol Spectrum Disorder	FASD
Grants to Reduce Alcohol Abuse in Secondary Schools Program	GRAAP
Health Resources and Services Administration	HRSA
Institute of Medicine	IOM
Interagency Coordinating Committee on the Prevention of Underage Drinking	ICCPUD
International Association of Chiefs of Police	IACP
Inventory of Substance Abuse Treatment Services	I-SATS
Iowa Strengthening Families Program	ISFP
Local Educational Agencies	LEAs
Monitoring the Future Survey	MTF
Mothers Against Drunk Driving	MADD
National Academy of Sciences	NAS
National Alcohol Screening Day	NASD
National Association for Children of Alcoholics	NACoA
National Association of School Resource Officers	NASRO
National Epidemiological Survey on Alcohol Related Conditions	NESARC
National Health and Nutrition Examination Survey	NHANES
National Highway Traffic Safety Administration	NHTSA
National Institutes of Health	NIH
National Institute on Alcohol Abuse and Alcoholism	NIAAA
National Liquor Law Enforcement Association	NLLEA
National Organizations for Youth Safety	NOYS
National Registry of Effective Programs and Practices	NREPP
National Survey of Substance Abuse Treatment Services	N-SSATS
National Survey on Drug Use and Health	NSDUH

Network for Employees of Traffic Safety	NETS
Occupational Safety and Health Administration	OSHA
Office of Juvenile Justice and Delinquency Prevention	OJJDP
Office of National Drug Control Policy	ONDCP
Office of Surgeon General	OSG
Office of the Assistant Secretary for Planning and Evaluation	ASPE
Outreach to Children of Parents in Treatment	OCPT
Partnership for Drug-Free America	PDFA
Pregnancy Nutrition Surveillance System	PNSS
Pregnancy Risk Assessment Monitoring System	PRAMS
Protecting You/Protecting Me	PYPM
Public Service Announcements	PSAs
Recording Artists, Actors and Athletes Against Drunk Driving	RADD
Robert Wood Johnson Foundation	RWJ
Safe and Drug-Free Schools and Communities Act	SDFSCA
Screening, Brief Intervention, Referral, and Treatment	SBIRT
School Health Policies and Programs Study	SHPPS
State Incentive Grant Program	SIG
Strategic Prevention Framework	SPF
Street Outreach Program	SOP
Students Against Destructive Decisions	SADD
Substance Abuse and Mental Health Services Administration	SAMHSA
Substance Abuse Prevention and Treatment Block Grant	SAPT BG
Targeted Capacity Expansion Program	TCE
Techniques for Effective Alcohol Management	TEAM
Too Smart to Start	TSTS
Transitional Living Program	TLP
Treatment Episode Data Set	TEDS
Treatment Improvement Protocols	TIPS
Uniform Accident and Sickness Policy Provision Law	UPPL
Uniform Facility Data	UFDS
Virginia Commonwealth University	VCU
Youth Offender Demonstration Project	YODP
Young Offender Reentry Program	YORP
Youth Opportunity Grants	YOGs
Youth Risk Behavior Survey	YRBS
Youth Risk Behavior Surveillance System	YRBSS

APPENDIX H: References

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