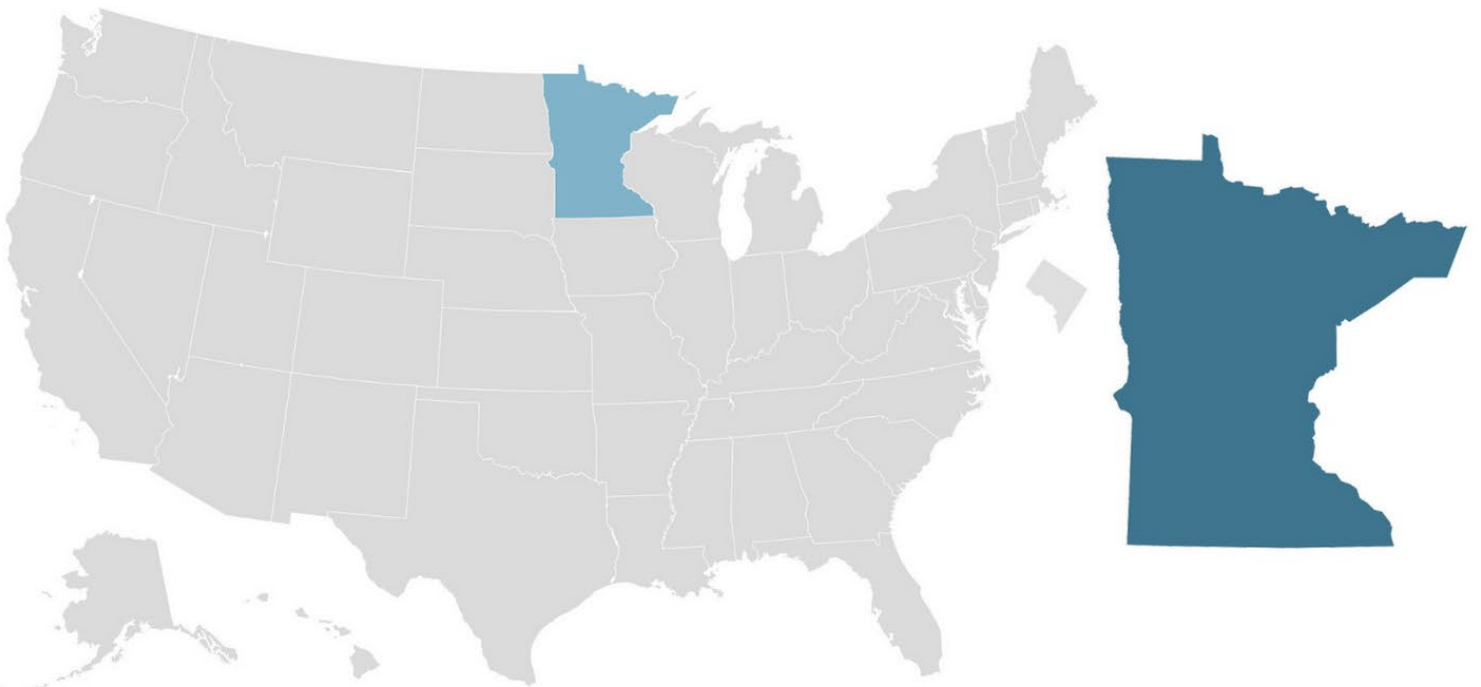




SAMHSA
Substance Abuse and Mental Health
Services Administration

Minnesota

2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



ICCPUD

**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

ICCPUD

This *State Report* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act requires an annual report “on each State’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the State Reports were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), chaired by Miriam Delphin-Rittmon, Ph.D., the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

Time Period Covered by this *State Report*: This *State Report* primarily includes data from calendar year 2020 and 2021. Regional and state profile data were drawn from the most recently available federal survey data as of 2020. State legal data reflect the status of the law as of January 1, 2021. State survey data, collected in 2021, were drawn from the most recent 12-month period in which the states maintained the data.

Source of Data: For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2017 through 2020 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2021). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application (updated May 2022) served as the resource for data about alcohol-attributable deaths from 2015–2019 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2020 data used to present statistics about fatalities among 15- to 20-year-old drivers. State legal policy data were obtained from the following sources: 1) the National Institute on Alcohol Abuse and Alcoholism’s Alcohol Policy Information System (APIS) website (<https://alcoholpolicy.niaaa.nih.gov/>); 2) legal research planned and managed by the ICCPUD.

Recommended Citation: U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2022). *2022 Minnesota State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

Staff Chair and Point of Contact, ICCPUD:

Robert M. Vincent, MS.Ed

Associate Administrator for Alcohol Prevention and Treatment Policy
ICCPUD Staff Chair

Substance Abuse and Mental Health Services Administration (SAMHSA)
Center for Substance Abuse Prevention (CSAP)

Office of the Director

Phone: (240) 276-1582

Email: Robert.Vincent@samhsa.hhs.gov

Minnesota Governor’s Designated Contact for STOP Act State Survey:

Phyllis Bengtson

Policy Lead, Primary Prevention

Minnesota Department of Human Services, Behavioral Health Division

Phone: (651) 431-2476

Email: phyllis.bengtson@state.mn.us



MINNESOTA



SAMHSA
Substance Abuse and Mental Health
Services Administration

THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



Minnesota

State Population: 5,657,342

Population Ages 12–20: 671,000

Past-Month Alcohol Use	
Ages 12–20	
Past-Month Alcohol Use – Number (Percentage)	150,000 (22.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	89,000 (13.2%)
Ages 12–14	
Past-Month Alcohol Use – Number (Percentage)	6,000 (3.0%)
Past-Month Binge Alcohol Use – Number (Percentage)	3,000 (1.3%)
Ages 15–17	
Past-Month Alcohol Use – Number (Percentage)	34,000 (14.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	13,000 (5.3%)
Ages 18–20	
Past-Month Alcohol Use – Number (Percentage)	110,000 (47.3%)
Past-Month Binge Alcohol Use – Number (Percentage)	73,000 (31.6%)
Adults Ages 21+	
Past-Month Alcohol Use – (Percentage)	2,566,000 (63.6%)
Past-Month Binge Alcohol Use – (Percentage)	1,183,000 (29.3%)
Average Age of Initiation	
Average Age of Initiation	16.4
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 ¹	
Alcohol-Attributable Deaths (under 21)	48
Years of Potential Life Lost (under 21)	2,815
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% ²	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	18
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	30%

¹ The Alcohol-Related Disease Impact Application was updated May 2022 to reflect new methodology for calculating the average annual alcohol-attributable deaths, and it reflects national and state annual averages from 2015–2019.

² Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number; however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

Substance Use Disorder and Mental Health System Overview¹

The Legislative Branch (“State Legislature”) plays an active role in shaping public mental health and substance use disorders policy and in financing the public health care system, comprised of the following public health care programs: Medical Assistance, MinnesotaCare, and Minnesota Family Planning Program. For example, the Minnesota Legislature created the Opiate Epidemic Response Advisory Council to respond to Minnesota’s ongoing opioid crisis.

Within Minnesota’s behavioral health system, comprised of Mental Health for Children, Mental Health for Adults, and Substance Use Disorders, there are three government entities that share the responsibility for funding mental health services and substance use disorder services, while ensuring evidence-based services that are culturally responsive and linguistically appropriate for Minnesota’s diverse populations of need. The government entities are:

Minnesota Department of Human Services(DHS)

- a. Community Supports Administration, which is the state’s SMHA and SSA.
- b. Behavioral Health Division (part of the Community Supports Administration).
- c. State Medicaid Agency.

The Local Mental Health Authority (LMHS)

- a. The County Board of Commissioners and its administrative agency or multi-county mental health authority.
- b. Local Advisory Council and Local Coordinating Council. (The County is responsible for the day-to-day administration of local community mental health systems.)

American Indian Tribal Governments

There are 11 federally recognized American Indian Tribes with reservations across Minnesota.

Minnesotans with mental health issues, substance use disorders, and opioid use disorder, as well as their families and communities, advocacy organizations, Managed Care Organizations, behavioral health services providers, other state departments, such as the Minnesota Department of Health, the Minnesota Department of Education, and the Minnesota Department of Corrections, and private health care systems also play an important role in shaping policy through their strong advocacy.

The Minnesota Department of Human Services (DHS) develops and implements policies to provide human services to the residents of Minnesota if they are eligible for these services. DHS works with Minnesota’s 87 counties and 11 federally recognized American Indian Tribes. In 2020, over one million Minnesotans were enrolled in Managed Care Organizations DHS contracts with to serve people enrolled in Minnesota Health Care Programs (MHCP). Approx. 81% of MHCP members are enrolled in Managed Care Organizations, and approx. 19% receive services on a fee-for-service basis.

At the direction of the Governor and the State Legislature, the Department of Human Services (DHS) develops, implements, evaluates, and revises policies and regulations, including for the

¹ Extracted from fiscal year (FY) 2022/2023 – (Minnesota) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

payment of provided human services, such as provided behavioral health services. DHS administers approx. one third of the state's budget. DHS is the designated Medicaid agency of the state and provides health care coverage for Minnesotans who are enrolled in a Minnesota Health Care Program (MHCP): Medical Assistance, MinnesotaCare, and Minnesota Family Planning Program. The Assistant Commissioner of Health Care and the State Medicaid Director are embedded in DHS and direct the management of major operations and systems.

The Community Supports Administration of the Minnesota Department of Human Services is the State Mental Health Authority (SMHA) and the State Substance Abuse Authority (SSA). In its capacity as SMHA and SSA, the Community Support Administration works with the State Medicaid Agency, which is also part of the Minnesota Department of Human Services, on strategies to maintain and improve the state's public health care system, including behavioral health care systems.

In its capacity as SMHA and SSA, the Community Supports Administration also develops, implements, evaluates, and revises policies for comprehensive behavioral health services. For this purpose, CSA has a dedicated Behavioral Health Division (BHD), comprised of:

- Children's Mental Health.
- Adult Mental Health.
- Substance Use Disorders, including Opioid Use Disorder.
- Problem Gambling.

The Behavioral Health Division works to integrate comprehensive mental health services and substance use disorder services with physical health care services to ensure a person-centered approach to treatment that is culturally and linguistically responsive to Minnesota's diverse populations. BHD works with qualified behavioral health care providers and with physical health care providers, who want to provide behavioral health care services, and to ensure equitable access to these services for Minnesotans who need and want to be treated. BHD focuses on populations of need across Minnesota.

Prevention of Substance Use Disorders and Opioid Use Disorder – Youth

The Minnesota Department of Human Services leads and funds through its Behavioral Health Division an underage alcohol and drug use primary prevention initiative. This initiative translates into collaborative community programs for the prevention of substance use disorders (SUD) and opioid use disorder (OUD) and for effective intervention. BHD forms these collaborative community programs with qualified behavioral health services providers, nonprofit organizations that provide a range of behavioral health services, and other government entities, for example the Minnesota Department of Education, the Minnesota Department of Health, and the Minnesota Department of Public Safety.

Minnesota Primary Prevention System

The five-year Minnesota Positive Community Norms Initiative grants use a community impact approach, involving members, organizations, and institutions of a community. For example: individuals; families; workplaces; schools; Law Enforcement; local government officials; fraternal and spiritual organizations; youth-serving organizations. The Minnesota Positive Community Norms Initiative grants focus on environmental strategies and have demonstrated

positive outcomes and improved health for over 15 years. Every community goes through a strategic planning process that includes the steps of the Strategic Prevention Framework, as well as cultural responsiveness and a focus on sustainability and equity, serving all populations in the community. The grants are awarded to communities based on the following factors:

- Need for prevention services based on the Minnesota Student Survey data.
- Community readiness to work on ATOD prevention.

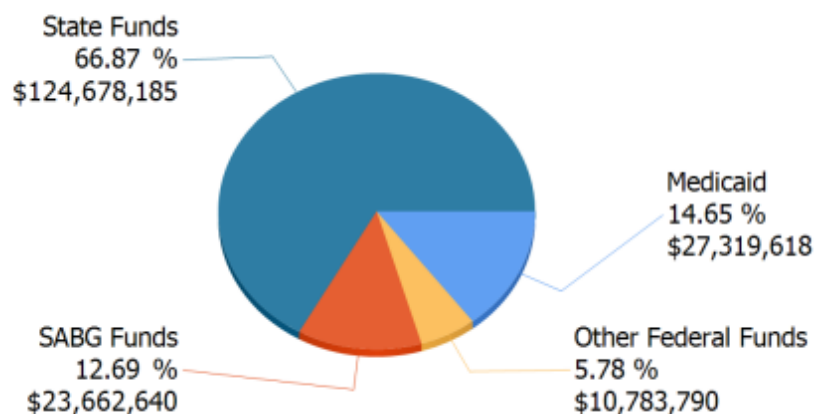
The Minnesota Department of Human Services collaborated with the Minnesota Department of Education and the Minnesota Department of Health to divide the State into seven prevention regions. The Minnesota Department of Human Services funds one Regional Prevention Coordinator to live and provide technical assistance and training to the Alcohol, Tobacco and Other Drug (ATOD) prevention workforce in each prevention region. The regional prevention coordinators expand the prevention work across their assigned region and thus the entire state.

Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Minnesota used for expenditures on substance abuse prevention and treatment in 2021. As indicated, state funds and Medicaid funds account for the largest sources (66.87 percent and 14.65 percent, respectively).²

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2022-2023, Minnesota designated reducing the 30-day alcohol use rate among youth as priority number four for use of SABG funds.³

Exhibit 1: Sources of Minnesota's 2021 Expenditures for Substance Abuse Prevention and Treatment



² WebBGAS State Profile, 2021 SABG and Community Mental Health Block Grant (MHBG) Reports – Minnesota 2021.

³ FY 2022/2023 – (Minnesota) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Minnesota's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures:

State Laws and Policies: These underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

- underage possession or purchase of alcohol
- underage drinking and driving
- alcohol availability
- sales and delivery to consumers at home
- alcohol pricing
- enforcement policies

STOP Act State Survey Data: The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

- enforcement programs to promote compliance with underage drinking laws and regulations
- programs targeted to youth, parents, and caregivers to deter underage drinking
- state interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns
- state expenditures on the prevention of underage drinking

Underage Possession or Purchase of Alcohol

Minnesota-Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is possession allowed if parent or guardian is present or consents? • Is possession allowed if spouse is present or consents? 	No No
Is there an exception based on location?	Yes, in a parent's/guardian's home

Minnesota-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is consumption allowed if parent or guardian is present or consents? • Is consumption allowed if spouse is present or consents? 	Yes, in specified locations – see below No
Is there an exception based on location?	Yes, in parent's/guardian's home if parent/guardian is present or consents

Minnesota-Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> • Is internal possession allowed if parent or guardian is present or consents? • Is internal possession allowed if spouse is present or consents? 	N/A N/A
Is there an exception based on location?	N/A
<p>Notes: Minnesota has a statutory provision that makes it unlawful "[f]or any person under the age of 21 years to consume any alcoholic beverages" and further defines "consume" to " [include] the ingestion of an alcoholic beverage and the physical condition of having ingested an alcoholic beverage." Minn. Stat. § 340A.503. Laws that prohibit minors from having alcohol in their bodies, but which do so without reference to a blood, breath, or urine test, are not considered as prohibiting Internal Possession for purposes of this report.</p>	

Minnesota-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

Minnesota-Underage False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Do state statutes or regulations mandate that state driver's licenses for persons under 21 be easily distinguishable from licenses for persons 21 and over?	Yes
May the retailer seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	Yes
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)? 	Yes
<ul style="list-style-type: none"> Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)? 	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May the retailer detain a minor who used a false ID?	No

Underage Drinking and Driving

Minnesota-Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	0
What is the maximum age to which the limit applies?	21

Minnesota-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	No
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	N/A
• Possession of alcohol	N/A
• Consumption of alcohol	N/A
The law applies to people under what age?	N/A
Is suspension or revocation mandatory or discretionary?	N/A
What is the length of suspension/revocation?	
Minimum number of days	N/A
Maximum number of days	N/A

Minnesota-Graduated Driver’s Licenses	
Learner Stage	
What is the minimum age for permit to drive with parents, guardians or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians or adults before advancing to intermediate stage?	50 (15 of which must be at night)
Intermediate Stage	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	Midnight
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes. For first 6 months, no more than one passenger under 20 who is not an immediate family member, unless accompanied by driver's parent or guardian. For second 6 months, no more than 3 passengers under 20, unless accompanied by driver's parent or guardian.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
License Stage	
What is the minimum age for full license privileges and lifting of restrictions?	17 (passenger restrictions expire 12 months after obtaining intermediate license; unsupervised night driving restrictions expire 6 months after issuance of intermediate license)

Alcohol Availability

Minnesota-Furnishing Alcohol to Minors	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships? <ul style="list-style-type: none"> • Is furnishing allowed if the parent or guardian supplies the alcohol? • Is furnishing allowed if the spouse supplies the alcohol? 	Yes, in specified locations No
Is there an exception based on location?	Yes, in a guardian's home, if parent/guardian supplies alcohol
Affirmative Defense for Sellers and Licensees	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

Minnesota-Responsible Beverage Service (RBS)—Voluntary	
Is there a state law pertaining to Beverage Service Training?	Yes, voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	Yes
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	No
• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-premises
Does the RBS law apply to new or existing licensees?	Existing
Notes: Minnesota provides for a reduced license fee as an incentive for retailers to implement beverage service training, among other programs.	

Minnesota-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18

Does a manager or supervisor have to be present when an underage person is selling beverages?	No
Notes: In Minnesota, the minimum permitted age to sell 3.2 percent malt liquors for off-premises consumption is not specified.	

Minnesota-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present when an underage person is selling beverages?	No
Notes: People age 16 and older can be employed to provide food service in rooms or areas where the presence of 3.2 percent “malt liquor” is incidental to food service or preparation. Minnesota defines “3.2 percent malt liquor” as any beer, ale, or other malt beverage containing not more than 3.2 percent alcohol by weight. .	

Minnesota-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools	
Colleges and Universities	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
Primary and Secondary Schools	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	Yes, within 1,500 feet of a public school, if not within a city.
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	Yes, within 1,500 feet of a public school, if not within a city.
To which alcohol products does requirement apply?	Beer, wine, and spirits

Minnesota-Dram Shop Liability	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No

Does the statute limit elements or standards of proof?	No
Does common law dram shop liability exist?	No
Notes: Minn. Stat. Â§ 340A.801(6) states that nothing in Chapter 340A, Minnesota’s alcohol beverage control law, “precludes common law tort claims against any person 21 years old or older who knowingly provides or furnishes alcoholic beverages to a person under the age of 21 years.” The age limitation applied to the furnisher and the “knowingly” evidentiary requirement results in a “no” coding for dram shop common law liability.	

Minnesota-Social Host Liability	
Does a statute create social host liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	Yes (social host must be 21 years of age or older)
Does the statute limit elements or standards of proof?	Yes (knowingly or recklessly furnishing alcohol to a minor or permitting consumption by a minor)
Does common law social host liability exist?	No
Notes: Minn. Stat. Â§ 340A.801(6) states that nothing in Chapter 340A, Minnesota’s alcohol beverage control law, “precludes common law tort claims against any person 21 years old or older who knowingly provides or furnishes alcoholic beverages to a person under the age of 21 years.” The age limitation applied to the furnisher and the "knowingly" evidentiary requirement results in a "no" coding for social host common law liability.	

Minnesota-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	No
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	N/A
What action by underage guest triggers a violation?	N/A
Property type covered by the law?	N/A
What level of knowledge by the host is required?	N/A
Does host’s preventive action protect him/her from being held liable?	N/A
Are there any exceptions for underage guests?	N/A

Minnesota-Keg Registration	
How is a keg defined (in gallons)?	Equal to or greater than 7.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine/jail, \$1,000/90 days)

What purchaser information is collected?	
Must the retailer collect the name and address?	No
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Passive (requires no action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

Minnesota-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	Yes
Are restrictions based on Alcohol by Volume (ABV)?	Yes (80 percent or more)
Are there exceptions to restrictions?	Yes (spirits aged in wood casks for not less than two years)

Sales and Delivery to Consumers at Home

Minnesota-Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Minnesota-Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	No
Must the common carrier (deliverer) be approved by a state agency?	No

Recording/reporting requirements	
Must the producer/manufacturer record/report purchaser's name?	No
Must the common carrier (deliverer) record/report recipient's name?	No
Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

Minnesota-Home Delivery	
Is home delivery of alcohol permitted?	
Beer	Permitted
Wine	Permitted
Spirits	Permitted

Minnesota- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	No
Which on-premises retailers can provide delivery of alcoholic beverages?	
<ul style="list-style-type: none"> • Restaurant • Bar license • Third party license 	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Which types of alcohol are permitted to be delivered?	
<ul style="list-style-type: none"> • Beer • Wine • Spirits • Mixed Drinks 	<p>N/A</p> <p>N/A</p> <p>N/A</p> <p>N/A</p>
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery?	
<ul style="list-style-type: none"> • Hours limited • Amount of alcohol limited • Food requirement 	<p>N/A</p> <p>N/A</p> <p>N/A</p>
Are there certain requirements that the delivery person must meet?	
<ul style="list-style-type: none"> • Must be 21 • Must check ID at point of delivery • Must receive payment regardless of delivery completion 	<p>N/A</p> <p>N/A</p> <p>N/A</p>

Alcohol Pricing

Minnesota-Alcohol Taxes	
Beer	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.15
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Additional taxes for 3.2 – 6% alcohol beer if applicable	\$0.08 per gallon for beverages containing an alcohol content of 4% or less
Notes: With respect to malt liquor containing 4 percent alcohol or less, the 2.5% retail tax is only applied when sold at an on-sale or off-sale municipal liquor store or other establishment licensed to sell any type of intoxicating liquor.	
Wine	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$0.30
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	2.50%

If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Additional taxes for 6 – 14% alcohol wine if applicable	
Spirits	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$5.03
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant
<ul style="list-style-type: none"> • Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	2.50%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> • General sales tax rate 	Not relevant

<ul style="list-style-type: none"> Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax) 	2.50%
Additional taxes for 15 – 50% alcohol spirits if applicable	

Minnesota-Low-Price, High-Volume Drink Specials	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	No
Multiple servings at one time	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Minnesota-Wholesaler Pricing Restrictions	
Beer	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
Wine	
Are volume discounts to retailers allowed?	Restricted; a variable volume price may not be for a quantity of more than 25 cases.
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)

Spirits	
Are volume discounts to retailers allowed?	Restricted; a variable volume price may not be for a quantity of more than 25 cases
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (30 days maximum)

Enforcement Policies

Minnesota-Compliance Check Protocols	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	Not specified
What is the maximum age a decoy may be to participate in a compliance check?	20
Are there appearance requirements for the decoy?	Yes, dress as they normally would. No disguises and no special makeup.
Does decoy carry ID during compliance check?	Prohibited
May decoy verbally exaggerate his or her actual age?	Permitted
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Minnesota-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	No written guidelines
What is the time period for defining second, third, and subsequent offenses?	N/A
What is the penalty for the first offense?	N/A
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A
Notes: Minnesota does not have formal civil penalty guidelines for license holder violations related to selling/serving underage. Under the provisions of Minnesota Statute 340A.415, civil penalties of up to \$2,000.00 per offense may be imposed, with license suspension and/or revocation for serious or repeat offenders.	

Minnesota State Survey Responses

State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

MN Department of Public Safety

Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol–Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	Yes
Underage Alcohol–Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws	Don't know
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	Not applicable
Such laws are also enforced by local law enforcement agencies	Not applicable

Enforcement Statistics

State collects data on the number of minors found in possession	No
Number of minors found in possession ¹ by state law enforcement agencies	Not applicable
Number pertains to the 12 months ending	Not applicable
Data include arrests/citations issued by local law enforcement agencies	Not applicable

State conducts underage compliance checks/decoy operations ² to determine whether alcohol retailers are complying with laws prohibiting sales to minors	No
Data are collected on these activities	No
Number of retail licensees in state ³	23,350
Number of licensees checked for compliance by state agencies (including random checks)	Not applicable
Number of licensees that failed state compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Not applicable

State conducts random underage compliance checks/decoy operations	Not applicable
Number of licensees subject to random state compliance checks/decoy operations	Not applicable
Number of licensees that failed random state compliance checks	Not applicable

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors	Yes
Data are collected on these activities	No
Number of licensees checked for compliance by local agencies	Not applicable
Number of licensees that failed local compliance checks	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Sanctions

State collects data on fines imposed on retail establishments that furnish to minors	No
Number of fines imposed by the state ⁴	Not applicable
Total amount in fines across all licensees	Not applicable
Smallest fine imposed	Not applicable
Largest fine imposed	Not applicable
Numbers pertain to the 12 months ending	Not applicable

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Don't know
Number of suspensions imposed by the state ⁵	Not applicable
Total days of suspensions across all licensees	Not applicable
Shortest period of suspension imposed (in days)	Not applicable
Longest period of suspension imposed (in days)	Not applicable
Numbers pertain to the 12 months ending	Not applicable
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Don't know
Number of license revocations imposed ⁶	Not applicable
Numbers pertain to the 12 months ending	Not applicable

Additional Clarification

No data

¹ Or having consumed or purchased per state statutes.

² Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

³ Excluding special licenses such as temporary, seasonal, and common carrier licenses.

⁴ Does not include fines imposed by local agencies.

⁵ Does not include suspensions imposed by local agencies.

⁶ Does not include revocations imposed by local agencies.

Underage Drinking Prevention Programs Operated or Funded by the State

Native American Indian Prevention Program

Number of youth served	No Data
Number of parents served	No Data
Number of caregivers served	No Data
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	None

Program Description: The State makes available funds to support prevention programming aimed at the prevention of alcohol misuse/abuse among Native American youth.

Planning & Implementation Community Coalition Grants

Number of youth served	22,000
Number of parents served	16,500
Number of caregivers served	450
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report:	Contact: Phyllis Bengtson phyllis.bengtson@state.mn.us
URL for more program information:	None

Program Description: Funded using Federal Block Grant dollars, these community coalition-focused grants have a primary goal of reducing youth alcohol, nicotine, and other drug use. They use a variety of strategies to accomplish this goal, including: environmental change, enforcement, and a media campaign focused on positive community norms. This campaign utilizes posters, billboards, and takeaway items (water bottles, conversation cards, tote bags, and other items) that are imprinted with a positive norm message. These messages grow out of the local community youth survey of perceptions and actual use behavior. We have found that the perceptions of youth alcohol use are usually much higher than the actual use rates. By exposing these inconsistencies, we are reinforcing the positive norm that 'most community youth don't use'. This encourages young people to be like the norm and not use. This campaign is part of a multi-strategy approach. Grantees are funded for 5 years and

restricted from applying for continuation funding through this program. Many of these grantees go on to apply and then, often, receive funding through the Drug-Free Communities grant program.

MN Regional Prevention Coordinators

Number of youth served	Unknown
Number of parents served	Unknown
Number of caregivers served	Unknown
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report:	Not applicable
URL for more program information:	https://rpcmn.org/

Program Description: MN in collaboration with the MN Dept. of Health and MN Dept. of Education divided the state into seven primary prevention regions. MN Dept. of Human Services, Behavioral Health Division, using Federal Block Grant dollars, funds seven Regional Prevention Coordinator who live and work within these seven regions. Their primary role is to provide technical assistance, training, and information to coalitions within their region that have Primary Prevention of Alcohol, Nicotine, or Other Drugs as either their primary focus or as a secondary focus. They worked with 95 such coalitions last year. They also work with communities looking to 'start' a community coalition to work on prevention of alcohol, nicotine, and other drug use within their community.

Additional Underage Drinking Prevention Programs Operated or Funded by the State

No data

Additional Clarification

No data

Additional Information Related to Underage Drinking Prevention Programs

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	Yes
Description of collaboration: Minnesota provides funding support to several federally recognized American Indian Nations in Minnesota. These include the Red Lake Nation, Boise Forte, Fond du lac, Grand Portage, Lower Sioux, Mille Lacs, Prairie Island, Upper Sioux, and White Earth.	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	No
Federal campaigns:	Not applicable
Regional and local media campaigns:	Not applicable
Local school district efforts:	Not applicable
Other:	Not applicable
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Not applicable
State officially endorses TTHY efforts	Not applicable
State commits state resources for TTHY	Not applicable
State forwards TTHY materials to local areas	Not applicable
Other: Not applicable	Not applicable
<i>State procures funding for TTHY</i>	Not applicable
Pro bono	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies):	No
Agency(ies) within your state: The American Indian Program Section at the Department of Human Services, Behavioral Health Division	Yes

Nongovernmental agency(ies): No
 Other: No
 Best practice standards description: The American Indian Program Section works with the local American Indian Nations to determine best practices based on the cultural strengths of each Nation. In addition, the American Indian Section is advised by the Behavioral Health Division's American Indian Advisory Council to determine best practices for these communities

Additional Clarification

No data

State Interagency Collaboration

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities No

Committee contact information:

Not applicable

Agencies/organizations represented on the committee:

Not applicable

A website or other public source exists to describe committee activities Not applicable

URL or other means of access: Not applicable

Underage Drinking Reports

State has prepared a plan for preventing underage drinking in the last 3 years No

Prepared by: Not applicable

Plan can be accessed via: Not applicable

State has prepared a report on preventing underage drinking in the last 3 years No

Prepared by: Not applicable

Report can be accessed via: Not applicable

Additional Clarification

No data

State Expenditures for the Prevention of Underage Drinking

Compliance checks in retail outlets:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Checkpoints and saturation patrols:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Community-based programs to prevent underage drinking:

Estimate of state funds expended \$383,300

Estimate based on the 12 months ending 06/30/2020

K-12 school-based programs to prevent underage drinking:

Estimate of state funds expended No data

Estimate based on the 12 months ending 06/30/2020

Programs targeted to institutes of higher learning:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Programs that target youth in the juvenile justice system:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Programs that target youth in the child welfare system:

Estimate of state funds expended Data not available

Estimate based on the 12 months ending Data not available

Other programs:

Programs or strategies included: Data not available

Estimate of state funds expended: Data not available

Estimate based on the 12 months ending: Data not available

Funds Dedicated to Underage Drinking

State derives funds dedicated to underage drinking from the following revenue streams:

Taxes	No data
Fines	No data
Fees	No data
Other: No data	No data

Description of funding streams and how they are used:

No data

Additional Clarification

No data



**THE INTERAGENCY COORDINATING COMMITTEE
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

