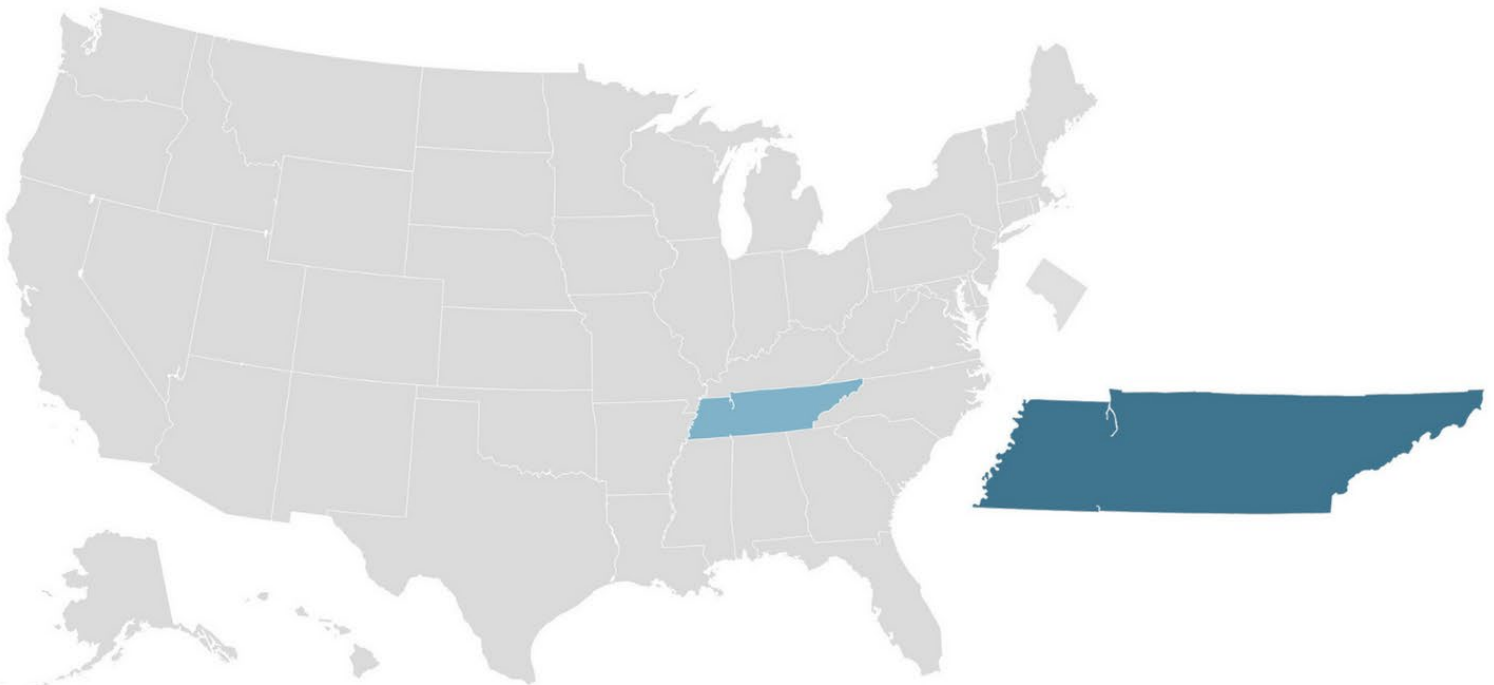


Tennessee



**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

# 2022 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (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.

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# TENNESSEE



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



## Tennessee

**State Population: 6,886,834**

**Population Ages 12–20: 750,000**

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	99,000 (13.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	58,000 (7.8%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	3,000 (1.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	0 (0.1%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	37,000 (13.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	24,000 (8.9%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	58,000 (24.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	33,000 (14.2%)
<b>Adults Ages 21+</b>	
Past-Month Alcohol Use – (Percentage)	2,304,000 (46.5%)
Past-Month Binge Alcohol Use – (Percentage)	1,088,000 (22.0%)
Average Age of Initiation	
Average Age of Initiation	16.1
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21 <sup>1</sup>	
Alcohol-Attributable Deaths (under 21)	99
Years of Potential Life Lost (under 21)	5,718
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>2</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	35
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	18%

<sup>1</sup> 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.

<sup>2</sup> 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.



## Behavioral Health Services Overview<sup>1</sup>

The Department of Mental Health and Substance Abuse Services (TDMHSAS) serves as Tennessee’s substance use disorders, mental health and opioid authority. The Department is responsible for system planning; setting policy and quality standards; licensing personal support services agencies, substance abuse and mental health services and facilities; system monitoring and evaluation; and disseminating public information and advocacy for persons of all ages who have a substance use, mental or co-occurring disorder, including serious emotional disturbance. TDMHSAS also provides inpatient psychiatric services for adults, including acute, subacute, and secure forensic beds, through its operation of four fully accredited Regional Mental Health Institutes (RMHIs). Listed below and hereafter is Tennessee’s substance abuse system.

The Division of Substance Abuse Services receives and administers federal block grant and state funding for substance abuse services. Our mission is to create collaborative pathways to resiliency, recovery, and independence for Tennesseans living with mental illness and substance use disorders. One of DSAS’ strengths is its’ integrated substance abuse system. This system consists of: providers, state departments, state agencies, judicial courts, grassroots organizations and faith-based organizations that are collaborating to provide an effective and efficient delivery of mental health and substance abuse services to Tennesseans.

According to the National Survey of Substance Abuse Treatment Services (N-SSATS), in 2020, the overall Tennessee treatment system included 311 facilities. 63% were private non-profit facilities and 35.4% were private for-profit agencies. DSAS purchases services directly from non-profit and for-profit providers; and has established a partnership that is transparent and respectful.

### Prevention Services

DSAS’ Prevention structure has three service components to address the prevention needs of individuals, communities, regions, and the State. This structure provides the essential framework and resources necessary to reach Tennessee’s high need communities to increase protective factors while decreasing risk factors. Prevention service components include: provider agencies, prevention coalitions, and regional workgroups. Within this system, high need communities and populations are identified by a State Epidemiological and Outcomes Workgroup (SEOW) assessment. Provider agencies deliver culturally appropriate selected and indicated programs per an assessment through the Tennessee Prevention Network program. A network of county-level coalitions whose work is governed by the Strategic Prevention Framework (SPF) is the cornerstone of the prevention structure. They work to reduce underage alcohol use, underage tobacco use, and prescription drug use across the lifespan by working within their home communities to implement data-based plans that endeavor to solve the problems in their community through environmental and community-based strategies.

Additionally, the Coalition for Healthy and Safe Campus Communities serves the Higher Education Institutions in Tennessee, a population known to be at great risk of alcohol and drug

<sup>1</sup> Extracted from fiscal year (FY) 2022/2023 – (Tennessee) 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.

misuse. There are currently 48 Substance Use Prevention Coalitions that are serving 75% of Tennesseans. Regional Overdose Prevention Specialists (ROPS) have been embedded in county coalitions to provide a regional hub to plan and coordinate evidenced-based and emerging practices to maximize community involvement. ROPS work collaboratively with coalitions and communities to ensure that key stakeholders across the state receive training on: opioid overdose, opioid use disorder, harm reduction, stigma, and naloxone use. In addition to providing training, ROPS distribute naloxone to individuals at high risk of overdose and other key stakeholders in the community. Regional Workgroups deliver universal indirect interventions, which leverage the efforts of individual coalitions and program providers by implementing environmental strategies in all areas of the state, including those areas without direct funding or a stand-alone program or coalition.

The State coordinates prevention activities through the Tennessee Prevention Advisory Council (TN-PAC). TN-PAC expands and strengthens prevention resources, reduces barriers, and increases communication throughout the prevention system. TN-PAC's members are comprised of state agencies; statewide organizations; regional prevention providers (including coalitions); and the Director of Prevention Services. Its structure and membership intentionally reflect the diverse racial, ethnic, faith, socioeconomic and professional sectors of the State. The Evidence Based Practices Workgroup has operationalized the definition of Evidence Based Practice (EBP) in Tennessee and serves as the expert panel to determine the viability of proposed interventions through a rigorous review and approval process. The SEOW profiles and prioritizes population needs, resources, service gaps and readiness capacity. It provides guidance to the comprehensive strategic planning process at state and community levels, and makes data-informed recommendations to the TN-PAC.

The Office of Prevention Services coordinates with several state agencies to best deliver prevention services. The Department of Health is very interested in many of the substance misuse and abuse issues because they impact the physical health of many Tennesseans. The Department of Health (TDH) is also interested in the prescription drug problem and has partnered with the TDMHSAS on legislation to increase the utility of the Controlled Substance Monitoring Database (CSMD). The Office of Prevention collaborates with TDH on a project that combines law enforcement data to the CSMD and overdose data. This project allows state departments and community partners to better identify and react to emerging and existing hotspots, as well as changes in the opioid crisis. Additionally, they have partnered with coalitions to deliver key prevention messages at physician training events across the state regarding how to safely prescribe opioids.

## **Treatment Services**

DSAS' Treatment structure has four service components to address the needs of individuals, communities, and the State. This structure provides the framework and resources necessary to plan, develop, administer, and evaluate a statewide system of services for the treatment of persons whose use of alcohol and/or other drugs has resulted in patterns of abuse or dependence. Treatment Services' components included: provider network, recovery courts, emergency departments, coalitions, and the TN RedLine. The provider network is the backbone of DSAS' treatment structure. They offer a full continuum of care based on the American Severity Index (ASI) screening tool and the American Society of Addiction Medicine (ASAM) Criteria to assess

adults, pregnant women and women with dependent children; and the T-ASI and ASAM for adolescents. 98% of all treatment providers have been certified to provide Co-Occurring Disorder services. Utilizing state-funds, Recovery Courts provide treatment services on-site or refer individuals to DSAS-funded treatment agencies. Tennessee Recovery Navigators are people in long-term recovery who meet patients who have recently overdosed in the Emergency Department and connect them with treatment and recovery services. Coalitions work to provide marketing and community linkages to promote resources. The TN RedLine operates a twenty-four hours per day/seven days per week (24/7) toll-free telephone line (TN-Redline) to answer questions and give referrals to individuals seeking information relative to substance use and abuse prevention, treatment, and recovery as well as co-occurring disorders and problem gambling. Callers who would like to communicate directly with a treatment provider can receive a warm handoff or if they prefer to receive the information via text message, the RedLine has that capability. Other treatment services include: Medical Detoxification (state-funded); Medically Monitored Withdrawal Management; Tele-Treatment Program; HIV Community Outreach Engagement Prevention Program; Problem Gambling Outreach, Education, Referral and Treatment Program; Opioid Treatment Programs; and Medication Assisted Treatment.

### **Expenditures for Substance Abuse Prevention and Treatment**

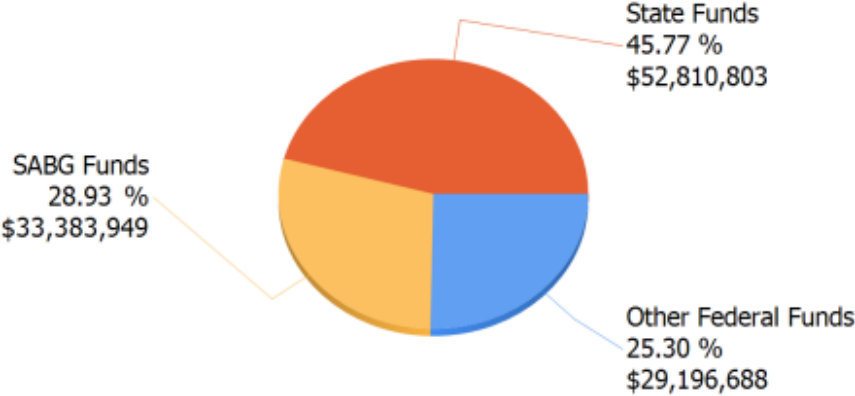
All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Tennessee used for expenditures on substance abuse prevention and treatment in 2021. As indicated, state funds and SABG funds account for the largest sources (45.77 percent and 28.93 percent, respectively).<sup>2</sup>

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, Tennessee did not specifically identify underage drinking as a prevention priority for use of SABG funds.<sup>3</sup>

<sup>2</sup> WebBGAS State Profile, 2021 SABG and Community Mental Health Block Grant (MHBG) Reports – Tennessee 2021.

<sup>3</sup> FY 2022/2023 – (Tennessee) 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.

**Exhibit 1: Sources of Tennessee’s 2021 Expenditures for Substance Abuse Prevention and Treatment**





## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Tennessee’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

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

Tennessee-Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is consumption allowed if parent or guardian is present or consents?</li> <li>• Is consumption allowed if spouse is present or consents?</li> </ul>	No No
Is there an exception based on location?	No

Tennessee-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"> <li>• Is internal possession allowed if parent or guardian is present or consents?</li> <li>• Is internal possession allowed if spouse is present or consents?</li> </ul>	N/A N/A
Is there an exception based on location?	N/A

Tennessee-Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Tennessee-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?	No
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?	No
Does an affirmative defense exist for the retailer?	Yes
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	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
<p>Notes: In Tennessee, coding for the Specific Affirmative Defense afforded to retailers is based on Tenn. Code Ann. § 57-5-108. This statute provides that no permit or license shall be revoked on the grounds that the operator or any person working for the operator sells beer to a minor over the age of 18 years if such minor exhibits an identification, false or otherwise, indicating the minor's age to be 21 or over, if the minor's appearance as to maturity is such that the minor might reasonably be presumed to be of such age and is unknown to such person making the sale. It is also an affirmative defense to criminal prosecution if any person accused of giving or buying alcoholic beverages or beer for a minor acted upon a reasonably held belief that the minor was of legal age. Tenn. Code Ann. § 39-15-404.</p>	

## Underage Drinking and Driving

Tennessee-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?	0.02
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?	16
What is the maximum age to which the limit applies?	21

<b>Tennessee-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)—For Ages 17 and Under</b>	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365
Notes: In Tennessee, the driving privileges of an offender shall be suspended for one year, or until the offender reaches 17 years of age, whichever is longer.	

<b>Tennessee-Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)—For Ages 18–20</b>	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365

<b>Tennessee-Graduated Driver’s Licenses</b>	
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 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	11:00 PM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes, no more than one passenger, unless passengers are household members being transported to school or accompanied by parent or licensed driver 21 or older.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	17

### Alcohol Availability

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

<b>Tennessee-Responsible Beverage Service (RBS)—Voluntary</b>	
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?	
<ul style="list-style-type: none"> <li>Defense in dram shop liability lawsuits</li> </ul>	No

<ul style="list-style-type: none"> <li>• Discounts in dram shop liability insurance, license fees, or other</li> </ul>	No
<ul style="list-style-type: none"> <li>• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons</li> </ul>	Yes
<ul style="list-style-type: none"> <li>• Protection against license revocation for sales to minors or sales to intoxicated persons</li> </ul>	Yes
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?	Unspecified

<b>Tennessee-Responsible Beverage Service (RBS)—Mandatory</b>	
Is there a state law pertaining to Beverage Service Training?	Yes, mandatory
If training is mandatory, who must participate?	Manager and server/seller
If training is voluntary, which of the following incentives are offered?	
<ul style="list-style-type: none"> <li>• Defense in dram shop liability lawsuits</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Discounts in dram shop liability insurance, license fees, or other</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Protection against license revocation for sales to minors or sales to intoxicated persons</li> </ul>	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

<b>Tennessee-Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
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

<b>Tennessee-Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
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

<b>Tennessee-Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools</b>	
<b>Colleges and Universities</b>	
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
<b>Primary and Secondary Schools</b>	
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

<b>Tennessee-Dram Shop Liability</b>	
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?	Yes (fact finder must determine that retailer knew customer was a minor beyond a reasonable doubt)
Does common law dram shop liability exist?	No

<b>Tennessee-Social Host Liability</b>	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A

Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No
Notes: A Tennessee court held that a property owner who does not furnish the alcohol may be held liable to third parties under common law if he/she knowingly allows minors to consume alcohol on his/her property and it is foreseeable that minors may then operate motor vehicles. In that case, the court held that the person who actually furnished the alcohol to the minor was shielded from liability under Tenn. Code Ann. Â§ 57-10-101.	

Tennessee-Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/outdoor/other
What level of knowledge by the host is required?	Knowledge (Host must have actual knowledge of party)
Does host’s preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No
Notes: Social host liability in Tennessee is limited to an owner, occupant, or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow an "underage adult" to consume alcoholic beverages, wine, or beer on the property. An "underage adult" is defined as a person who is at least 18 years of age but less than 21 years of age.	

Tennessee-Keg Registration	
How is a keg defined (in gallons)?	No law
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
What purchaser information is collected?	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law



Is a deposit required?	No law
Does law cover disposable kegs?	No law

Tennessee-High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Sales and Delivery to Consumers at Home

Tennessee-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

Tennessee-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?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No
Recording/reporting requirements	
Must the producer/manufacture record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes

Shipping label requirements	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

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

Tennessee- Direct to Consumer	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	Yes
Which on-premises retailers can provide delivery of alcoholic beverages? <ul style="list-style-type: none"> <li>• Restaurant</li> <li>• Bar license</li> <li>• Third party license</li> </ul>	Yes No Yes, with state permit
Which types of alcohol are permitted to be delivered? <ul style="list-style-type: none"> <li>• Beer</li> <li>• Wine</li> <li>• Spirits</li> <li>• Mixed Drinks</li> </ul>	Yes Yes Yes Yes
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery? <ul style="list-style-type: none"> <li>• Hours limited</li> <li>• Amount of alcohol limited</li> <li>• Food requirement</li> </ul>	No Yes Yes
Are there certain requirements that the delivery person must meet? <ul style="list-style-type: none"> <li>• Must be 21</li> <li>• Must check ID at point of delivery</li> <li>• Must receive payment regardless of delivery completion</li> </ul>	Yes No No
Notes: Amount of alcohol limited: A single serving of alcoholic beverages, not to exceed sixteen ounces, or beer as authorized by the local beer board, or a container of wine that may be lawfully sold within the state. Restaurants deliver via third-party; Third party is delivering from restaurants.	

## Alcohol Pricing

Tennessee-Alcohol Taxes	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$1.29
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)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
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)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.21
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)	15.00%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant

<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	15.00%
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)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$4.40
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)	15.00%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	15.00%
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)	
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

<b>Tennessee-Low-Price, High-Volume Drink Specials</b>	
Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	Yes (Permitted before 10 p.m.)
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	Restricted (Permitted before 10 p.m.)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes (Permitted before 10 p.m.)
Notes: After 10 p.m., on-premises retailers are prohibited from offering multiple servings at one time or drinks with increased volume for the same price as regular-sized drinks.	

<b>Tennessee-Wholesaler Pricing Restrictions</b>	
<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and hold (360 days minimum)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	None
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No
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 (10 days maximum)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	None
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No
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 (10 days maximum)
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### Enforcement Policies

Tennessee-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; shall not purposely disguise appearance so as to misrepresent the person's actual age
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

Tennessee-Penalty Guidelines for Sales to Minors	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third, and subsequent offenses?	Two years
What is the penalty for the first offense?	\$1,500 fine
What is the penalty for the second offense?	\$5,000 fine
What is the penalty for the third offense?	\$10,000 fine, possibility of suspension or revocation of license
What is the penalty for the fourth offense?	N/A
Notes: The commission may, upon finding that a licensee has violated subdivision (d)(1) two or more times during any two-year period, and for good cause shown, fine the licensee not more than \$10,000 and require retraining of all employees of the licensee under the supervision of the commission in lieu of suspending or revoking the license of the licensee.	

## Tennessee State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

TN Alcoholic Beverage Commission

### 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	No

Local law enforcement agencies use:

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

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

### Enforcement Statistics

State collects data on the number of minors found in possession	Yes
Number of minors found in possession <sup>1</sup> by state law enforcement agencies	12
Number pertains to the 12 months ending	12/31/2020
Data include arrests/citations issued by local law enforcement agencies	No
State conducts underage compliance checks/decoy operations <sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors	Yes
Data are collected on these activities	Yes
Number of retail licensees in state <sup>3</sup>	8,389
Number of licensees checked for compliance by state agencies (including random checks)	1,944
Number of licensees that failed state compliance checks	400
Numbers pertain to the 12 months ending	12/31/2020
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
State conducts <b>random</b> underage compliance checks/decoy operations	Yes
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	1,831
Number of licensees that failed <b>random</b> state compliance checks	372
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	Yes
Number of fines imposed by the state <sup>4</sup>	398
Total amount in fines across all licensees	\$503,650

Smallest fine imposed	\$1,500
Largest fine imposed	\$10,000
Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	2
Total days of suspensions across all licensees	51
Shortest period of suspension imposed (in days)	25
Longest period of suspension imposed (in days)	26
Numbers pertain to the 12 months ending	12/31/2020
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	0
Numbers pertain to the 12 months ending	12/31/2020

**Additional Clarification**

Number of retail licensees: We calculated our retail establishments based on the number of licenses that exist for our liquor by the drink establishments, package stores, grocery stores, distilleries, and wineries. We only track the number of current licensees and thus cannot confirm the number of licensees we had last year. We estimate that we had 8,389 such retail licensees for 2020.

Random compliance checks: Random operations are the initial minor compliance checks we do on our establishments throughout the year. While we do create target lists for each operation, the process through which our agents choose to select those targets is by random selection in a specific area of the state. In addition to the initial operations, we conduct 90-day follow-ups with only the establishments that had sold previously. The 90-day follow-up establishments are solely on having a sale to minors within the time frame, which we do not consider to be randomly selected.

There were two regulatory citations issued to TABC licensees which were subject to suspension with a total of 51 days. High-profile operations to deter underage drinking occurred at large venue events such as concerts, professional and collegiate sporting events, and festivals.

<sup>1</sup> Or having consumed or purchased per state statutes.

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

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Tennessee Prevention Network**

Number of youth served	6,000
Number of parents served	250
Number of caregivers served	100
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** The Tennessee Prevention Network is a statewide prevention program directed at providing primary prevention services to individuals who have not been determined to require treatment for substance abuse. The array of services falls into two categories: (1) Selective prevention services, which include programs and practices that are delivered to sub-groups of individuals identified on the basis of their membership in a group that has an elevated risk for developing substance abuse problems. An individual's personal risk is not specifically assessed or identified and is based solely on a presumption given his or her membership in the at-risk subgroup.



(2) Indicated prevention services include programs that focus on populations that are identified on the basis of individual risk factors or initiation behaviors that put an individual at high risk for developing substance abuse problems. The individuals targeted at this stage, although showing signs of early substance use, have not yet reached the point where a clinical diagnosis of substance abuse can be made. The service goals of this program are as follows:

- a. To delay the onset of substance use and substance use disorder for at least 70 percent of the population served, as reported in the Tennessee Office of Prevention Services (TOPS) Youth Prevention Survey.
- b. To reduce illegal use of substances by at least 50 percent for the indicated population, as reported in the TOPS Youth Prevention Survey.
- c. To reduce the prevalence of negative consequences associated with substance misuse for 65 percent of the population served, as reported in the TOPS Youth Prevention Survey.
- d. To increase protective factors and decrease risk factors associated with substance misuse by at least 60 percent of the population served, as reported in the TOPS Youth Prevention Survey.

**Additional Underage Drinking Prevention Programs Operated or Funded by the State**

The State of Tennessee Department of Mental Health and Substance Abuse Services, Division of Substance Abuse Services, Office of Prevention funds 46 community coalitions using Block Grant and state dollars. These coalitions use environmental strategies intended to reduce or counter alcohol advertising or marketing.

**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>	No recognized tribal governments
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	Yes
Description of program: The State of Tennessee Department of Mental Health and Substance Abuse Services, Division of Substance Abuse Services, Office of Prevention funds 46 community coalitions using Block Grant and State dollars. These coalitions use environmental strategies intended to reduce or counter alcohol advertising or marketing.	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Don't know/no answer
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: TN Department of Mental Health and Substance Abuse Services, Division of Substance Abuse Services Yes

Nongovernmental agency(ies): No

Other: Tennessee Evidence-Based Practice Workgroup Yes

Best practice standards description: Tennessee's Evidence-Based Practice Workgroup has established standards for evidence-based best practices such that a practice must meet at least one of the following criteria:

1. Inclusion in federal registries of evidence-based interventions
2. Reported, with positive effects on the primary targeted outcome, in peer-reviewed journals
3. Documented effectiveness supported by other information sources and the consensus of informed experts as described in the following set of guidelines, both of which must be met:

Guideline 1: The intervention is demonstrated to be similar in theory of change, general principles of effective prevention, or content and structure to the interventions that appear in registries, federal agency publications, and/or peer-reviewed literature.

Guideline 2: The intervention is supported by documentation of effective implementation in the past, including at least one replication.

**Additional Clarification**

No data

**State Interagency Collaboration**

A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities Yes

*Committee contact information:*

Name: Anthony Jackson  
 Email: anthony.jackson@tn.gov  
 Address: 500 Deaderick Street, Fifth floor, Nashville, TN 37243  
 Phone: 615-532-3914

*Agencies/organizations represented on the committee:*

- Memphis Area Prevention Coalition
- Prevention Alliance of Lauderdale
- Maury County Prevention Coalition
- Cheatam County Community Enhancement Coalition
- Hamilton County Coalition
- Power of Putnam
- Council on Alcohol and Drug Abuse Services
- Coalition of Union County
- Unicoi Prevention Coalition

A website or other public source exists to describe committee activities No  
 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 \$80,000  
 Estimate based on the 12 months ending 12/31/2020

<i>Checkpoints and saturation patrols:</i>	
Estimate of state funds expended	\$45,000
Estimate based on the 12 months ending	12/31/2020
<i>Community-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$1,300,000
Estimate based on the 12 months ending	09/30/2021
<i>K–12 school-based programs to prevent underage drinking:</i>	
Estimate of state funds expended	\$1,800,000
Estimate based on the 12 months ending	06/30/2021
<i>Programs targeted to institutes of higher learning:</i>	
Estimate of state funds expended	\$175,000
Estimate based on the 12 months ending	06/30/2021
<i>Programs that target youth in the juvenile justice system:</i>	
Estimate of state funds expended	\$350,000
Estimate based on the 12 months ending	06/30/2021
<i>Programs that target youth in the child welfare system:</i>	
Estimate of state funds expended	\$275,000
Estimate based on the 12 months ending	06/30/2021
<i>Other programs:</i>	
Programs or strategies included: Other programs include educational programs that target youth that are economically disadvantaged	
Estimate of state funds expended:	\$800,000
Estimate based on the 12 months ending:	06/30/2021
<b>Funds Dedicated to Underage Drinking</b>	
<i>State derives funds dedicated to underage drinking from the following revenue streams:</i>	
Taxes	No
Fines	No
Fees	No
Other: Not applicable	No
<i>Description of funding streams and how they are used:</i>	
Not applicable	
<b>Additional Clarification</b>	
No data	





**ICCPUD**

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

