

VIBE CONFERENCE

VERY IMPORTANT BEVERAGE EXECUTIVES

September 27-29, 2021 | Omni La Costa Resort & Spa, Carlsbad, CA

bar &
restaurant

AN EXPERIENCE FROM

questex

General Session

Legal Issues in the Post-COVID World

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Alcohol To Go

PROS

- Help for restaurants during closures
- Sales kept liquor licenses active
- Kept some additional staff working

CONS

- Tension with open container laws
- Concerns about drunk driving, sales to minors, and other liabilities
- Added legalities in terms of who delivers and where



These States Have Temporary Alcohol To Go Laws/Rules

- Colorado (expires July 1, 2025);
- Connecticut (expires June 4, 2024);
- Delaware (expires March 31, 2022);
- Illinois (expires Jan. 3, 2024);
- Maine (expires Sept. 10, 2022);
- Maryland (local option – expires June 30, 2023);
- Massachusetts (expires May 1, 2022);
- Michigan (expires December 31, 2025);
- New Jersey (expires January 1, 2022);
- Rhode Island (expires March 1, 2022);
- Tennessee (expires July 1, 2023)



Temporary Policies on Alcohol To Go (continued)

- Vermont (expires July 1, 2023);
- Virginia (expires July 1, 2022);
- Washington (expires July 1, 2023)



Success of Temporary COVID Orders Paved the Way for Permanent Legislation

- Arizona
- Arkansas
- District of Columbia
- Iowa
- Florida
- Georgia
- Kansas
- Kentucky
- Montana
- Missouri
- Nebraska
- Ohio
- Oklahoma
- Oregon
- Texas
- West Virginia
- Wisconsin

Compliance Tips: Alcohol To Go

- Follow any vessel requirements mandated by law. If none, choose sealed containers.
- Age requirements for server personnel should still be followed when selling drinks to go;
- I.D. checks on the guest are critical;
- Be aware of any state imposed limitations/requirements related to third party delivery services and confirm that third parties have required licensing



Tied House Update

- **Supporting Bartenders**
 - Still a tied house illegal gift if the bartender is employed
 - Use a charity
- **Manager Conferences**
 - Different from a trade show where many retailers are present
 - Opportunity for Retailer Entertainment or Educational Seminar Tied House Exception, where the law allows
 - What jurisdiction's law applies?



Tied House Update (con't.)

- **Digital Menus**
 - A menu is a menu, but review the definitions
 - Beware of non-traditional creation expenses/subsidies
- **Social Media**
 - Compliance with the rules of multiple jurisdictions
 - Inadvertent tied-house “benefit” conveyed on retailer
 - Inadvertent targeting of minors
 - Temperance
 - Intellectual property
 - Privacy policies



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