

# H.B. 442 Alcohol Amendments

## DINING CLUB SUMMARY

### EFFECTIVE MAY 9, 2017

- Licensees are required to display the approved sign stating that it is a bar not a restaurant
- A responsible alcohol service plan must be submitted when renewing a license. Instructions will be provided with your renewal notice.
- Percentage of gross receipts for sale of food or wine excludes bottles of wine over \$175 and glasses of wine over \$30.

### EFFECTIVE JULY 1, 2018

- Dining clubs will become grandfathered restaurants unless they designate a change to a bar license as part of their renewal in May of 2018.
- As a full service restaurant, a minor may not be seated within 10 feet of a bar structure unless there is no other seating available and they are accompanied by someone 21 years or older.
- Food sale percentage goes from 60 percent to 64 percent.

### EFFECTIVE JULY 1, 2019

- Food sale percentage goes from 64 percent to 68 percent.

### EFFECTIVE JULY 2021

- Food sale percentage goes from 68 percent to 70 percent.

### EFFECTIVE JULY 1, 2022

- The newly designated restaurant must officially define the dispensing area by:
  - Either keeping the 10 foot buffer zone (but minors can no longer be seated in that area), **or**
  - By constructing a permanent physical structure (pony wall or railing) around the bar. The structure must measure at least 42 inches high and be at least five feet away from the bar and be approved by DABC.
- Electronic age verification (scanner) must be used for individuals who appear 35 years of age or younger who order an alcoholic product in a dispensing area in a restaurant.
- A minor may not sit, remain, or consume food or beverages in a dispensing area of a restaurant. Except:
  - A minor may momentarily pass through a dispensing area while en route to an area of the restaurant in which the minor is permitted to be, but only **if there is no alternative route available.**
  - A minor employee **may** perform maintenance and cleaning **when the business is not open** AND a minor employee **may** ring up the sale of an alcoholic product at the dispensing area.

- In ADDITION to confirming the patron's intention to order food, a restaurant licensee may not sell/serve an alcoholic product until the patron is either:
  - seated at the location where they plan to consume food; or,
  - seated in the dispensing area waiting for a table in the dining area.
    - the allowance for consumption in the dispensing area while waiting for a table is limited to ONE (single portion) drink and any unfinished portion is transported from the dispensing area to the dining area by a trained server.