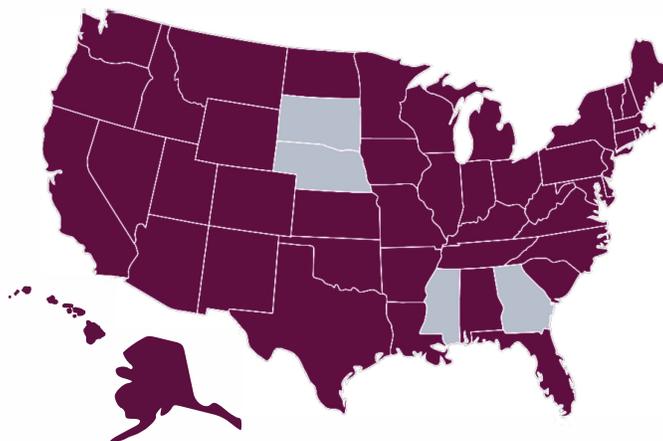


U.S. STATES BANNING IN-PERSON DINING AT RESTAURANTS AND BARS DURING THE COVID-19 OUTBREAK

AS OF WEDNESDAY, APRIL 1, 2020



46 STATES * HAVE TAKEN THE EXTRAORDINARY STEP OF CLOSING RESTAURANTS AND BARS TO DINE-IN CUSTOMERS TO COMBAT THE SPREAD OF COVID-19.**

■ Dine-in restrictions have been implemented state-wide

*46 states and the District of Columbia have closed restaurants and bars to dine-in customers as of Wednesday, April 1, 2020.
**Food Takeout and delivery are still permitted.

WSWA Beverage Alcohol COVID-19 Bulletin: State Closures and Emergency Rulemakings

Updated as of April 7, 2020

***New information added since last report in bold red**

ALABAMA

Legislative Session: On March 31, 2020, the House and Senate will convene to pass a Joint Resolution giving the Speaker and Pro Tem the authority to extend the session suspension until April 28.

Restaurant and Bars Closures: On Thursday, March 19, Gov. Ivey and the Department of Health issued a [Public Health Order](#) that included a statewide ban on all restaurants, bars, breweries or "similar establishments" from offering on-premises consumption of food or drinks but food take-out and delivery is allowed.

Essential Businesses: On April 3, 2020, Gov. Ivey issued a [Stay at Home Order](#) closing all non-essential businesses until April 30. The order deemed essential: "supermarkets, food and beverage stores, including liquor stores," restaurants and bars, and "warehouse, distribution and fulfillment centers."

Retail Store Closures: The state closed 78 of the 170 state-owned ABC liquor stores. The stores remaining open are operating under restrictive guidelines such as permitting only five customers at a time. The emergency order allows curbside sales (see below).

Alcohol Delivery Laws: No retailer delivery permitted.

Emergency Rulemaking: Effective March 18, 2020, the Alabama Beverage Commission (ABC) authorized emergency powers to issue a temporary order allowing to-go sales of beer, wine, and liquor in sealed, unopened containers:

- **On-Premise To-Go/Curbside Pickup**: Restaurants and bars with a valid liquor license may provide curbside pickup of alcoholic beverages.
- **Off-Premise Curbside Pickup**: Locations licensed by the ABC board to sell alcohol for off-premises consumption may sell via curbside pick-up. Sales are limited to one 750-ml bottle of spirits, one 750-ml bottle of wine, or a six pack of beer per customer.

ALASKA

Legislative Session: The legislature passed a budget on March 29, 2020, and adjourned until further notice due to COVID-19.

Restaurant and Bars Closures: Gov. Mike Dunleavy's [mandate](#) closing all restaurants and bars statewide to dine-in services that was set to expire on April 1 was extended indefinitely.

Essential Businesses: On March 27, 2020, Gov. Dunleavy issued [Essential Services and Critical Workforce Infrastructure Order](#) closing or limiting non-essential businesses- businesses deemed essential include: grocery stores, establishments engaged in the retail sale of food and beverages, restaurants (for carryout and delivery only), "businesses that transport goods to grocery stores, supermarkets, convenience stores" and incorporates the federal Cyber and Infrastructure Security Agency (CISA) guidance which includes: workers supporting groceries and retail that sells food and

beverage products; restaurants - for carry-out and delivery; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers.

Retailer Delivery Laws: Retailer delivery allowed.

Emergency Rulemaking: On April 1, 2020, Alaska's Alcohol Control Board voted on two measures that, if approved by the governor, would relax alcohol laws as follows:

- **On-Premise To-Go**: The measure would allow to-go sales of factory-sealed beer and wine from any bar or restaurant currently licensed to sell such products on premises, with or without food.
- **Off-Premise Curbside Pickup**: The measure would allow curbside pickup of products from liquor stores and other manufacturers, such as breweries.

ARIZONA

Legislative Session: On March 23, 2020, lawmakers passed a budget and suspended the session until April 13.

Restaurant and Bars Closures: On Thursday, March 19, Gov. Doug Ducey issued an [executive order](#) limiting certain business operations including closing bars in counties where there are confirmed cases of COVID-19. The order provided an allowance for restaurants to sell beer, wine, or spirits to-go with a food order, as long as the alcohol is in the original sealed container.

Essential Businesses: On Monday, March 23, 2020, Gov. Ducey issued [Executive Order Prohibiting the Closure of Essential Services](#) which lists as essential: restaurants for consumption off-premises; stores that sell alcoholic beverages; and manufacturers, distribution and producers of supply chain-critical products including food and beverage. On Monday March 30, Governor Ducey issued [Executive Order 2020-18](#), a "Stay at Home" Order effective until April 30. The definition of "essential" business remains the same as the previous order.

Retailer Delivery Laws: Beer, wine, and spirits retailer delivery allowed and may be executed via a common carrier/motor carrier after obtaining a special license. Restaurants can sell beer wine and spirits in their original containers sealed.

Emergency Rulemaking:

- **On-Premise To-Go and Delivery**: Effective March, 20, 2020, per [Executive Order 2020-09](#) and [DLCC Guidance](#) in counties with confirmed cases of COVID-19 restaurants may sell for carryout and delivery beer, wine, and spirits, including mixed drinks, in sealed containers via its own employees or a delivery service. Restaurant licensees that use pick-up and curb-side services that include alcohol may not be executed by individuals under the age of eighteen.
- **Off-Premise Curbside Pickup**: All retail licensees that because of the configuration of their licensed premises cannot sell or deliver spirituous liquor for off-sale consumption without first removing it from the licensed premises will not be disciplined for operating outside of the licensed premises, unless the Department determined that the licensee otherwise violated Title IV. Licensees should use their best judgment to deliver spirituous liquor in a manner that is controlled, direct, and short in distance. Curb-side service will be considered pick-up.
- **Returns**: The Department of Liquor Licenses and Control [issued guidance on returns](#) that will allow, under certain circumstances, wholesalers to accept returns (for example, if a retailer is going to close and the product will go bad).

ARKANSAS

Legislative Session: The legislature convened for a regularly scheduled fiscal session on April 8, 2020 at the University of Arkansas athletic center.

Restaurant and Bar Closures: On Thursday, March 19, 2020, Gov. Hutchinson [ordered](#) the closure of all restaurant dining rooms, bars. Restaurants may still offer delivery, drive-thru and carry-out service.

Alcohol Delivery Laws: No retailer delivery statute.

Emergency Rulemaking: On Thursday, March 19, the Department of Finance and Administration's Alcoholic Beverage Control Division [issued rules](#) allowing:

- **On-Premise Sales:** Restaurants with wine and beer permits may sell and deliver unopened containers of wine and beer with food for off-premises consumption.
- **Liquor Store Curbside and Delivery:** Liquor stores may offer curbside service and delivery and encourage those with drive-thru windows to use those exclusively.

CALIFORNIA

Legislative Session: Legislative session is suspended until at least April 13.

Restaurant and Bars Closures: On Sunday, March 15, Gov. Gavin Newsom announced the closure of bars, wineries, night clubs, and brewpubs and while he did not close restaurants, he did recommend restaurants stop dine-in service and continue food takeout service only. If a restaurant remains open, it must reduce capacities and maintain measures to ensure social distancing among customers.

Essential Businesses: On March 19, 2020, Gov. Newsom issued [Executive Order N-33-20](#), a stay at home order, directing the closure of non-essential businesses; per the [State Public Health Officer list](#) the following are deemed essential: liquor stores that sell food, restaurant carry-out and quick serve food operations, and employees and firms supporting food, feed, and beverage distribution (including curbside distribution and deliveries), including warehouse workers.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking: The week of April 1, 2020, the ABC issued [a Second Notice of Temporary Regulatory Relief](#) temporarily suspending enforcement of additional restrictions related to the following activities: free delivery of alcoholic beverages; delivery hours of alcohol to retailers extended to midnight; certain charitable promotions related to sales of alcohol; and distilled spirits manufacturers providing high-proof spirits for disinfection purposes.

In March, the ABC issued a [Notice of Temporary Regulatory Relief](#) making the following temporary changes:

- **On-Premise Package Sales:** Licensees with on-sale privileges may sell those alcoholic beverages for off-sale consumption in manufacturer pre-packaged containers as to which their license permits on-sale consumption.
- **On-Premise To-Go and Delivery:** Restaurants selling beer, wine, and pre-mixed drinks or cocktails for consumption off the licensed premises may do so when sold in conjunction with meals prepared for pick-up or delivery.
- **Returns:** Notwithstanding any restrictions in sections 23104.1 (wine), 23104.2 (beer), and 23104.3 (distilled spirits), manufacturers and wholesalers may accept returns of alcoholic beverages from retailers. Manufacturers and wholesalers may establish their own parameters for accepting returns, except that they may not require retailers to purchase specific products or quantities of products in the future as a condition to the acceptance of a return of

alcoholic beverages.

- **Credit:** The order suspends enforcement of the prohibition of extending credit to retailers beyond 30 days. It will be up to the parties to determine appropriate credit terms during this time. (For detailed information, see [WSWA COVID-19 Resources](#).)

COLORADO

Legislative Session: Session suspended. The Colorado Supreme Court ruled that the legislature's 120 days of session do NOT have to be consecutive and can resume once the public health crisis has passed.

Restaurant and Bars Closures: On March, 16, 2020, the Colorado Department of Public Health and Environment issued a [public health order](#) to prohibit all dine-in and on-premise consumption at bars, taverns, brew pubs, breweries, microbreweries, distillery pubs, wineries, tasting rooms, special licensees, clubs, casinos, and other public places offering alcoholic beverages effective March 17 for 30 days. The order encouraged the use of carryout, delivery, and drive-through services.

Essential Business: On Wednesday, March 25, Gov. Polis issued [Executive Order D2020-017](#) ordering residents to stay at home until April 11 except for essential businesses which, according to [Amended Public Health Order 20-24](#), includes grocery stores, liquor stores, restaurants and bars for takeout only, and warehouses/distribution.

Alcohol Delivery Laws: Beer, wine, and spirits retailer/off-premise delivery allowed. Beer, wine and spirits manufacturers that are permitted to sell their products to-go may continue to do so via curbside pickup.

Emergency Rulemaking:

- **On-Premise Delivery:** On Friday, March 20, 2020, Gov. Polis [announced](#) that temporarily restaurants and bars will be allowed to deliver alcohol.
- On April 1, 2020, the Colorado Liquor Enforcement Division issued [Emergency Regulation 47-1101](#) and [Bulletin 12-03](#) providing guidance for the delivery and takeout sales of alcohol authorized under the governor's executive order and clarifying that mixed drinks are permitted so long as they are in a sealed closed container. **On April 2, 2020, LED stated that on-premises retailers may not refill and sell alcohol beverages in growlers and crowlers.**
- **Returns:** On March 13, 2020, the Department of Revenue issued [Bulletin 20-02](#) providing guidance for returns if an event was cancelled due to COVID-19. (For detailed information, see [WSWA COVID-19 Resources](#))

CONNECTICUT

Legislative Session: Capitol Complex will be closed Thursday, March 12 to April 12.

Restaurant and Bars Closures: Gov. Lamont ordered the shutdown of bars and restaurants, but take-out and delivery of food may continue.

Essential Businesses: Effective March 23, 2020, Gov. Lamont's [Stay at Home Order](#) closed all non-essential businesses - liquor/package stores and manufacturer permittees and wholesalers were deemed essential.

Alcohol Delivery Laws: Beer, wine, and spirits off-premise delivery allowed.

Emergency Rulemaking: On Thursday, March 20, 2020, the Department of Consumer Protection [issued an order](#) implementing rules and procedures extending alcohol

sales to the following licenses: LIR, LRW, LRB, LCA, and LIT.

- **On-Premise To-Go:** Businesses may sell sealed containers (as received by the wholesaler) of alcoholic liquor consistent with the alcohol types that they are currently permitted to sell on-premise based on their permit type, and only if it is part of a take-out order that is being picked up by the customer that includes food prepared on premises. Curbside pick-up adjacent to the permit premises is allowed if there is no municipal ordinance to the contrary.
- **Supplier To-Go:** Certain manufacturers may remain open to sell their product for off-premise consumption.
- **Credit:** On April 1, 2020, Gov. Lamont issued [Executive Order 7S](#) allowing for extended credit provisions (up to 90 days) for on-premise businesses.

DELAWARE

Legislative Session: The legislative session is indefinitely postponed. They are making plans in the event lawmakers must reconvene to pass COVID-19 legislation and regarding the constitutional obligation to pass an operating budget by June 30.

Restaurant and Bar Closures: On March 17, 2020, Gov. Carney [modified](#) his emergency declaration to limit Delaware restaurants, taverns and bars to food take-out and delivery service only. The suspension will be lifted immediately upon the recession on the State of Emergency.

Essential Businesses: Effective March 24, 2020, Gov. Carey's [Stay at Home Order](#) closed all non-essential businesses - the order listed as essential "Beer, Wine, and Distilled Alcoholic Beverage Merchant Wholesalers" as well as "beer, wine, and liquor stores."

Alcohol Delivery Laws: No retailer delivery laws.

Emergency Rulemaking:

- **On-Premise Delivery:** On March 18, Gov. Carney [announced that businesses](#) with a valid on-premise license to sell alcoholic beverages may sell alcohol beverages as part of transactions for take-out food or drive-through food service so long as the cost for alcohol does not exceed 40% of the establishment's total sales transaction (delivery of alcoholic beverages is not included).

DISTRICT OF COLUMBIA

Legislative Session: All Council activities and work will be done remotely offsite.

Restaurant and Bars Closures: On Monday, March 16, [Mayor Bowser ordered](#) all DC restaurants and taverns to cease table seating until April 1 but may continue food delivery and carry-out operation.

Essential Businesses: On Tuesday, March 24, 2020, Mayor Bowser issued [Order 2020-53](#) that directed the closure of all non-essential businesses; business deemed essential include: alcohol wholesalers, restaurants (for carryout only), and liquor stores. Mayor Bowser's March 30 [Executive Order 2020-054](#) expands stay at home limitations and duration, now until April 24, 2020, but does not make changes to businesses already deemed essential.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking:

- **Suspension of On-Premise Alcohol Sales and Consumption :** On Wednesday,

March 18, the District of Columbia ABC adopted an [emergency rulemaking](#) prohibiting the sale of alcoholic beverages for on-premises consumption. The rulemaking incorporated emergency legislation by the DC Council authorizing on-premise licensees to deliver alcoholic beverages with a food order (see below).

- **On-Premise Delivery:** On March 17, 2020, through emergency legislation, the DC Council [enacted a bill](#) allowing restaurants or bars, upon registration, to offer closed containers of beer, wine, and spirits to-go as long as the beverages are accompanied by at least one prepared food item. Businesses can offer growlers and crowlers of beer and wine. There is no maximum for how much alcohol can be sold. Deliveries and carryout are allowed from 7 AM to midnight. It will remain in effect for 90 days, though a Temporary bill, which will require a second Council vote, will ensure it remains in effect for 270 days.
- **Alcohol Delivery Extended to Hotel and Clubs :** On March 25, 2020, the District of Columbia ABC issued [Notice of Second Emergency Rulemaking](#) that extended delivery of alcohol privileges with food orders to hotels, multipurpose facilities, and clubs. The rulemaking is effective for the duration of the Public Emergency but in no event longer than one hundred twenty (120) days (July 23, 2020), unless superseded.

FLORIDA

Legislative Session: The legislature adjourned per its regular session calendar.

Restaurant and Bars Closures: On Friday, March 20, Governor DeSantis issued [Executive Order 20-71](#) closing all restaurants and bars for dine-in service though carryout and delivery service may continue (see below for changes to alcohol delivery laws).

Essential Businesses: On April 1, 2020, Gov. DeSantis issued a “Stay at Home” order for the whole state. In the order, the Governor uses the CISA guidelines to define “essential” business which includes: Workers supporting groceries, pharmacies and other retail that sells food and beverage products; restaurants - for carry-out and delivery food operations; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers. However, Gov. DeSantis made clear that the order is directed at individuals, not businesses, so “non-essential” businesses are not being ordered to shut down.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed and may be executed via a third-party service.

Emergency Rulemaking:

- **On-Premise To-Go and Delivery:** On Friday, March 20, 2020, Gov. DeSantis issued [Executive Order 20-71](#) that lifts restrictions currently in statute to allow for on-premise businesses to sell / deliver alcohol in sealed containers along with food takeaway or delivery orders. See [FAQs](#).
- **Returns:** On Friday, March 20, Governor DeSantis issued [Executive Order 20-71](#) that provides that vendors may request the return of products for the limited purpose of allowing licensed vendors of alcoholic beverages to request the return of undamaged alcoholic beverages purchased for events cancelled in response to COVID-19. (For detailed information, see [WSWA COVID-19 Resources](#))

GEORGIA

Legislative Session: The General Assembly has suspended the 2020 legislative session

until a later date, however the Assembly met to ratify the Governor's declaration of an emergency.

Restaurant and Bars Closures: On April 1, 2020, Gov. Kemp said he is preparing a statewide shelter-in-place order that will be effective April 3 and remain effective until April 13. According to [news articles](#), Kemp aides said the order is likely to allow restaurants to serve takeout but ban dine-in service.

Essential Business: **On April 8, 2020, Gov. Kemp announced that [Executive Order 04.02.20.01](#), a Shelter in Place Order closing all non-essential businesses, will be extended until May 15.** The order follows the federal Cyber and Infrastructure Security Agency (CISA) essential business guidance that includes: workers supporting groceries, pharmacies and other retail that sells food and beverage products; restaurants - for carryout and delivery; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers.

Alcohol Delivery Laws: No retailer delivery permitted.

Emergency Rulemaking:

- **Atlanta On-Premise To-Go**: On Friday, March 20, Atlanta Mayor Bottoms signed [Administrative Order 2020-07](#) instructing the Atlanta Police Department to refrain from taking any action to enforce prohibitions against the sale of unopened wine and/or malt beverages by the package for off-premises consumption by restaurants and other eating and drinking establishments that have been mandated to cease dine-in services. The order sunsets after 60 days and does NOT permit off-premise sales of distilled spirits or open containers.

HAWAII

Legislative Session: The Legislature suspended its session indefinitely on March 17.

Restaurant and Bars Closures: Bars and restaurants must close to dine-in service and provide only drive-through, takeout, or delivery.

Essential Businesses: On Monday, March 23, Gov. Ige issued a Stay at Home Order to begin at 12:01am on Wednesday, March 25 – the order deemed essential stores that sell alcoholic beverages, restaurants offering food for sale off-premise, and manufacture, distribution, and supply chain for critical products and industries.

Alcohol Delivery Laws: Retailer delivery laws are determined locally.

IDAHO

Legislative Session: On Thursday, March 19 the Idaho Senate voted to end the session and on Friday, March 20, the Idaho House did the same.

Restaurant and Bars Closures: On Wednesday, March 25, 2020, Gov. Little issued a [stay at home order](#) effective until April 15, 2020 that closed all nightclubs and bars and ordered restaurants to close except for food takeout and delivery.

Essential Businesses: On Wednesday, March 25, 2020, Gov. Little issued a [stay at home order](#) that closes all non-essential business; the order deemed the following essential: liquor stores, grocery stores, convenience stores, and “transportation providers supporting essential activities.”

Alcohol Delivery Laws: No retailer delivery statute.

ILLINOIS

Legislative Session: The legislature remains closed. The House indicated a potential reconvening the week of April 6 to address emergency measures. The deadline to move bills out of committee has been extended to April 24 and the third reading deadline for legislation is now May 8.

Restaurant and Bars Closures: On March 15, 2020, Gov. Pritzker ordered bars and restaurants to close beginning at 9 p.m. on March 16, through at least March 30 but food takeout and delivery will still be allowed. The Governor's new [Stay at Home Order](#) extends restaurant closures to to April 7.

Essential Businesses: Gov. Pritzker's ["Stay at Home" Order](#) (Executive Order 2020-10) effective March 21, 2020, included "Alcoholic Liquor" Distributors as an "essential business."

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed. On-premise licensees may sell for off premise consumption and deliver alcohol if authorized by the Local Liquor Control Commission and if licensee abides by off premises sales rules including selling alcoholic liquor in the original container only.

Emergency Rulemaking: On March 19, 2020, the Liquor Control Commission issued [Guidance on Temporary Delivery of Alcoholic Liquor](#) authorizing:

- **On-Premise and Off-Premise Curbside Pickup**: Subject to the approval of the local liquor control commission, all retail licensees, including on-premises only licensees, shall be authorized to conduct packaged sales, "to go" sales, curbside deliveries,
- **On-Premise and Off-Premise Delivery**: Subject to the approval of the local liquor control commission, all retail licensees, including on-premises only licensees, ("Retailers") shall be authorized to conduct home residential deliveries, and any other sale or delivery. All deliveries must be made in the original container and mixed drinks are not permitted. Subject to authorization, deliveries may be executed via third-party delivery services.
- **Returns**: Beer only return provision; "Wine and spirits products are not subject to spoilage during the closure, so are not included."
- **Credit**: The Liquor Control Commission issued [Guidance on Thirty \(30\) Day Credit Law Reporting](#) establishing a delinquent retailer dispute process.

On March 20, 2020, the Liquor Control Commission [updated its COVID-19 FAQs](#).

INDIANA

Legislative Session: Regular session adjourned March 11 per normal session calendar.

Restaurant and Bars Closures: Gov. Holcomb announced on March 16 that all bars and restaurants would be required to close to "in-person" patrons through the end of March. Takeout and delivery of food services would still be allowed.

Essential Businesses: **On April 6, 2020, Gov. Holcomb announced a [new Stay at Home Order](#) that further curtailed business operations until April 20. While food and beverage retailers and distributors are deemed essential, liquor package stores are limited to delivery and curbside pickup only.**

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking:

- **On-Premise To-Go**: On March 23, 2020, Gov. Holcomb issued [Executive Order](#)

[20-11](#) that expands package alcohol carryout privileges to all bars and restaurants.

- **Returns:** ATC directs individuals to refer to the [TTB Newsletter](#) regarding consignment sale guidance.
- **Credit:** Indiana State Excise Police will respond to complaints but will not be making the 15-day credit terms for retailers/dealers and wholesalers and enforcement priority.

IOWA

Legislative Session: The legislative session is suspended until April 30.

Restaurant and Bars Closures: Gov. Reynolds' March 17, 2020 [State of Public Health Disaster Emergency](#) which, among other things, moved restaurants to drive-through, carryout, and delivery only and closed bars was extended to April 30.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed. Licensees and permittees authorized to sell alcoholic liquor, wine, or beer in original unopened containers for off-premises consumption may deliver alcoholic liquor, wine, or beer to a home, another licensed premises if there is identical ownership of the premises by the licensee or permittee, or other designated location in this state. Deliveries shall be limited to alcoholic beverages authorized by the licensee's or permittee's license or permit. (See [123.46A](#) for requirements.)

Emergency Rulemaking: The Iowa Alcoholic Beverages Division's [COVID-10 Update](#) announced several emergency changes including:

- **On-Premise To-Go and Delivery:** Effective until April 30, class "C" liquor licensees (taverns, bars, restaurants, etc.) can sell alcoholic liquor and wine in original, unopened containers for carry-out, curbside pickup, drive-through, or home delivery without obtaining an additional license, permit, or privilege. (Class "C" liquor licensees already have the authority to sell beer in original, unopened containers for off-premises consumption.)
- **Returns:** Holders of a retail alcohol license or permit are authorized to return alcoholic liquor, wine, or beer in original, unopened containers to the appropriate wholesaler, provided the wholesaler consents to the return. (For detailed information, see [WSWA COVID-19 Resources](#))
- **Bottle Returns:** Under the [public health emergency declaration](#), retailers who engage in the sale of alcoholic liquor, beer, wine, carbonated beverages, and other beverages on which an Iowa beverage container deposit is made are authorized to stop accepting returns of empty beverage containers until 11:59 p.m. on April 16, unless the public health emergency declaration is sooner terminated or extended by the governor.

KANSAS

Legislative Session: The legislature adjourned until April 27.

Restaurant and Bar Closures: Per Gov. Kelly's [Executive Order 20-16](#), restaurants are allowed to operate in drive-thru, pickup, or delivery capacity only, and may sell alcohol along with meals.

Essential Businesses: On March 28, Gov. Kelly issued [Executive Order 20-16](#) directing residents statewide to stay home. Liquor stores and wholesalers have been deemed essential.

Emergency Rulemaking: On March 18, 2020, the Kansas Alcoholic Beverage Control Division [announced](#) the following new policies are in effect until further notice:

- **Off-Premise Curbside Pickup:** A licensee may make “curbside” sales to customers, subject to all existing provisions. For the duration of this policy only, the payment and physical delivery of the alcoholic liquor may occur on or off of the licensed premises; sales to underage individuals, sales below cost, and similar provisions are strictly prohibited.
- **On-Premise Curbside Pickup:** Drinking establishments, class A clubs, and class B clubs may sell bottles of beer or wine curbside. For the duration of this policy only, beer or wine sold in this fashion needs to be opened on the licensed premises and properly sealed but does not need to be partially consumed on the licensed premises. To accommodate such curbside sales, the licensee shall designate specific “to-go” parking stalls or similar locations, which must all be located within a 50-foot radius of the entrance to their licensed premises. The sale of alcohol including payment or delivery occurring outside of the 50-foot radius is strictly prohibited.
- **Returns:** Per the Department of Revenue’s [COVID Memo](#), if alcoholic liquor was purchased for an event that was subsequently cancelled due to COVID-19 concerns, the return of such alcoholic liquor will be permitted without Director approval and will not be a violation of Federal law regarding consignment sales.

KENTUCKY

Legislative Session: Session continues, however the capitol is closed to lobbyists and citizens.

Restaurant and Bar Closures: Gov. Beshear [ordered](#) that starting on Monday, March 16 all liquor, beer, wine, food, and beverage sales would be restricted to carry-out, delivery, and drive-thru only.

Essential Businesses: On Sunday, March 22, 2020, Gov. Beshear issued [Executive Order 2020-246](#) closing all non-life sustaining in-person retail businesses and identifying grocery, drug and liquor stores as essential businesses. On March 25, Gov. Beshear issued a new [Executive Order 2020-257](#) designating life sustaining businesses as following the federal Cyber and Infrastructure Security Agency (CISA) guidance which includes: Workers supporting groceries, pharmacies and other retail that sells food and beverage products; restaurants - for carry-out and delivery food operations; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers. The EO also requires all life sustaining businesses to follow social distancing and hygiene guidance from the CDC and KY Department of Health.

Alcohol Delivery Laws: Beer, wine, and spirits off premise retail delivery allowed.

Emergency Rulemaking: Effective March 19, 2020, the ABC [ordered supplemental rules:](#)

- **On-Premise Sales:** Any on-premise drink licensee may sell for off-premise consumption any alcoholic beverage that it is ordinarily able to sell for on-premise consumption so long as the alcoholic beverage is in a closed and sealed container (not to-go cups) is sold with the purchase of a meal and not in bulk quantities. Delivery must be made by someone at least 20 years old and in a vehicle owned and operated by the licensee, its employees, or an independent contractor.

LOUISIANA

Legislative Session: After only convening on March 9 and briefly on March 31, the legislature has been suspended indefinitely.

Restaurant and Bar Closures: On March 16, Gov. Edwards [ordered](#) the closure of bars

and restaurants to dine-in patrons through at least April 13. Delivery, drive-through, and take-out are allowed.

Essential Businesses: On March 22, 2020, Gov. Edwards signed [Proclamation No. 33 JBE 2020](#), a stay at home order, closing all non-essential businesses. The list of essential businesses follows the federal Cyber and Infrastructure Security Agency (CISA) guidance which includes: Workers supporting groceries, pharmacies and other retail that sells food and beverage products; restaurants - for carry-out and delivery food operations; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking:

- **On-Premise Delivery and Curbside Pickup**: On a temporary basis the [ATC will allow](#) on-premise sales of beer and wine for curbside pickup or delivery.
- **Signature Upon Delivery Suspended**: Distributors will not be required to obtain a direct signature from the recipient of a delivery. Any distributor employee conducting a delivery shall instead be required to legibly print the first and last name of the individual receiving the delivery, and shall also print their own initials next to the recipient's name. These policies will continue in effect until further notice.
- **Credit**: Credit to bar retailers extended from 15 to 45 days with full payment due April 30, 2020.

MAINE

Legislative Session: The legislature adjourned sine die on March 17 although the House Speaker said the Legislature intended to reconvene as soon as possible based on the best guidance of health officials.

Restaurant and Bar Closures: On March 18, 2020, Gov. Mills issued an Executive Order on mandating that all restaurants and bars statewide close to dine-in customers until March 31. Take-out, delivery, and drive-through options can continue.

Essential Businesses: On March 24, Gov. Mills issued [Executive Order 19 FY 19/20](#) mandating that all non-essential businesses and operations close their physical locations that are public facing until April 8. The order follows the federal DHS-CISA Guidance identifying essential business which includes: "Workers supporting groceries, pharmacies and other retail that sells food and beverage products; Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees; Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers."

Alcohol Delivery Laws: Beer and wine retail delivery allowed.

MARYLAND

Legislative Session: General Assembly announced that it would end its current session on Wednesday, March 18, before coming back for a special session in the last week of May.

Restaurant and Bars Closures: On March 16, Gov. Hogan [issued an order](#) to close all bars and restaurants as of 5 p.m. on March 16. Takeout and food delivery services are still allowed - [including alcohol](#).

Essential Businesses: On Monday, March 23, 2020, Gov. Hogan [issued an order](#) closing all non-essential businesses throughout the state of Maryland indefinitely; the order deemed as essential businesses “alcoholic beverage stores and distributors, distilleries, and wineries.” This order preempts local prohibitions, but localities may still determine hours of sale, packaging, granting of privileges, etc. Gov. Hogan’s March 30 [Executive Order 20-03-30-01](#) expands stay at home limitations and closures but does not make changes to businesses already deemed essential.

Alcohol Delivery Laws: Beer, wine, and spirits retailer delivery allowed.

Emergency Rulemaking:

- **On-Premise To-Go and Delivery**: On Thursday, March 19, Gov. Hogan issued [Executive Order 20-03-19-02](#) to clarify that on-premise licenses are authorized to offer alcohol for carryout and delivery.
- **Excise Tax Deadline**: Sales and Use Tax payments do not have to be paid until June 1.

Local Wholesaler Efforts: In discussion with state officials about loosening on-premise restrictions.

MASSACHUSETTS

Legislative Session: The legislature continues to meet to consider COVID-19 related legislation.

Restaurant and Bar Closures: **Gov. Baker announced that the prohibition on dine-in service at restaurants and bars is extended until May 4.** Delivery and takeout is still available.

Essential Businesses: On Monday, March 23, 2020, Gov. Baker issued a [Stay at Home Order](#) requiring all businesses and organizations that do not provide essential services to close their physical workplaces for two weeks. The [COVID-19 Essential Services](#) list deems essential: liquor stores, restaurants for carryout only, grocery stores, and wholesale/distribution employees.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking:

- **On-Premise Delivery**: The Massachusetts legislature passed and Gov. Baker signed a law that allows, effective April 3, 2020, on-premise locations to deliver wine or beer with food orders. The measure limit sales to wine and malt beverages sold in sealed containers with a limit of 192 oz. of beer (16 12 oz. beers or 12 16 oz. beers) and 1.5 liters of wine (two standard bottles) per transaction. Wine must be in its original container, but the measure does not make the same stipulation for beer, which opens the opportunity for growler and crowler sales. All sales of alcoholic beverages must be part of a transaction that also includes food. Customers must be 21 years of age or older and all sales are cut off at the hour the restaurant is licensed to sell.

MICHIGAN

Legislative Session: As of Friday, March 27, the legislature is not in session.

Restaurant and Bars Closures: On March 16, Gov. Whitmer announced the temporary closure of all bars and restaurants beginning on March 16 at 3 p.m. Takeout and delivery will still be available.

Essential Businesses: On Monday, March 23, 2020, Gov. Whitmer issued at [Stay at Home Order \(EO 2020-21\)](#) that prohibits all businesses and operations from requiring workers to leave their homes unless those workers are necessary to sustain or protect life or to conduct minimum basic operations. The order follows the federal [DHS-CISA Guidance](#) identifying essential business which includes: “Workers supporting groceries, pharmacies and other retail that sells food and beverage products; Restaurant carry-out and quick serve food operations - Carry-out and delivery food employees; Employees and firms supporting food, feed, and beverage distribution, including warehouse workers, vendor-managed inventory controllers and blockchain managers.”

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

MINNESOTA

Legislative Session: Session is suspended until April 14.

Restaurant and Bars Closures: Gov. Walz signed [Executive Order 20-04](#) to order the temporary closure of Minnesota restaurants and bars to dine-in customers.

Essential Businesses: On Wednesday, March 25, 2020, Gov. Walz issued [Executive Order 20-20](#), ordering residents to stay at home until Friday, April 10; Essential business designations follow the federal Cyber and Infrastructure Security Agency (CISA) [guidance](#) which includes: Workers supporting groceries, pharmacies and other retail that sells food and beverage products; restaurants - for carry-out and delivery food operations; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers.

Alcohol Delivery Laws: Beer, wine, and spirits off premise retail delivery allowed.

Emergency Rulemaking: The Alcohol and Gambling Enforcement Division [issued a notice](#) regarding returns:

- **Returns**: The cancellation of many events and required bar closings have created a commercial reason to allow wholesale distributors to pick up on-sale retail alcoholic beverage product, issue the on-sale accounts a credit, and resell the product to off-premise (off-sale) accounts, which are still allowed to operate their businesses. Please consider this approval to cover all needed product returns from affected businesses until the restrictions placed upon them is removed.

MISSISSIPPI

Legislative Session: As of April 1, the legislature suspend its session until the Speaker and Governor deem it appropriate and safe to return to the Capitol.

Restaurant and Bars Closures: On April 1, 2020, Gov. Reeves signed [Executive Order 1466](#) a statewide shelter in place order that suspended all dine-in services unless able to reduce capacity to allow no more than 10 people to be gathered in a single space at the same time where individuals are in seated or otherwise in close proximity to each other. The use of drive-thru, carryout, and delivery options are allowed and highly encouraged.

Essential Businesses: On April 1, 2020, Gov. Reeves signed [Executive Order 1466](#) a statewide shelter in place order - the order deems essential warehouse, distribution and fulfillment centers, food and beverage stores, convenience stores, and restaurants and bars (but only to the extent that not more than 10 people are gathered in a single space at the same time where individuals are in seated or otherwise in close proximity or for curbside pickup, carryout, or delivery.

Alcohol Delivery Laws: No retailer delivery laws.

Emergency Rulemaking:

- **On-Premise To-Go**: Mississippi already allows customers to remove one bottle of wine that was partially consumed during a meal that is resealed and placed in a sealed bag with a receipt showing that a meal was also purchased. . The [ABC is permitting](#) until April 30, 2020, restaurants to sell a single, sealed bottle of wine sold WITH a food to-go order in a sealed bag with the receipt showing the purchase of a meal. To-go sales of mixed drinks are strictly prohibited.
- **Curbside Pickup**: The Department of Revenue adopted a [temporary rule](#) permitting curbside service for the sale of alcohol until April 30.

MISSOURI

Legislative Session: The legislature reconvened as of April 7, 2020 on supplemental spending for the fiscal year.

Restaurant and Bars Closures: On March 21, 2020, Gov. Parson signed an order that directs the public to avoid eating in restaurants, bars or food courts, though it allows for drive-through, pickup and delivery service.

Retailer Delivery Laws: Beer, wine, and spirits off-premise retailer delivery allowed and may use third-party delivery services to complete the delivery.

Retailer Curbside Pickup Laws: On March 19, 2020, the Missouri Division of Alcohol and Tobacco Control issued an [Industry Circular](#) reiterating the state's curbside pickup and delivery laws: All retail-by-drink licensees are allowed to sell intoxicating liquor in the original package under [Section 311.200.5](#). If a curbside pickup option is provided, licensees must adhere to the [delivery guidelines](#). Only original package products may be sold for off-premise consumption. This does not include mixed drinks poured and repackaged by the retailer. Payment for all transactions for carryout, pickup, or otherwise, must occur on the licensed premises. Please be sure to check with your local city or county to make sure there are no local ordinances or requirements that would prevent you from doing the above.

Emergency Rulemaking:

- **Returns** – On March 13, 2020, the Alcohol and Tobacco Tax and Trade Bureau (TTB) issued an [Industry Circular](#) announcing the authorization of returning products purchased from a manufacturer/wholesaler for temporary events that were cancelled due to concerns about COVID-19. ATC is mirroring TTB's stance in that we will not consider returns due to licensed events being cancelled for COVID-19 concerns to be a violation. These temporary events would include caterers events, picnic license events, and festival events. This exception does not allow retail-by-the-drink or original package licensees to return their product that would be sold in the normal course of business. We are also reminding manufacturers/wholesalers that they are not required to accept returns of such products.

MONTANA

Legislative Session: There is no scheduled Session in 2020.

Restaurant and Bars Closures: On Friday, March 20, 2020, Gov. Bullock [signed a Directive](#) to close dine-in food service and alcoholic beverage businesses. The order expires at 11:59 p.m. on March 27, 2020, though the date will likely be extended. The places subject to the order are permitted and encouraged to offer food and beverage

using delivery service, window service, walk-up service, drive-through service, or drive-up service.

Essential Businesses: On March 26, 2020, Gov. Bullock issued a [stay at home directive](#) ordering the closure of all non-essential businesses; the order deems as essential: grocery stores, liquor stores, restaurants for off-premise consumption, and food and beverage distributors.

Alcohol Delivery Laws: No retailer delivery laws in place.

Emergency Rulemaking:

- **On-Premise Sales**: As part of Gov. Bullock's [Directive](#) signed on Friday, March 20, a retailer or manufacturer licensed to sell alcoholic beverages for on-premise consumption may deliver for sale the alcoholic beverages for which it is licensed. Delivery must be conducted by the licensee's employees over the age of 21 and age of the purchaser and recipient must be verified at the time of delivery. The purchased alcohol must be hand-delivered to the purchaser. In offering food or beverage, a place subject to this section may permit up to five members of the public at one time inside for the purpose of picking up their food or beverage orders, so long as those individuals are at least six feet apart from one another while on premises.

NEBRASKA

Legislative Session: The Nebraska Legislature postponed its session until further notice.

Restaurant and Bars Closures: On March 25, Gov. Ricketts amended the [Directed Health Measure](#) to add additional counties to the list of restaurants and bars that must close dine-in services and move to takeout, carry-out, or delivery only. Those counties now include: Lancaster, Dodge, Saunders, Cass, Douglas, Sarpy, and Washington.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking: On March 19, 2020, Governor Rickett issued an [Executive Order](#) to Provide Relief to Restaurants and Bars during COVID-19 Emergency that makes the following authorizations:

- **Restaurant Delivery of Alcohol-** (Class I license holders) will be able to sell beer, wine, and spirits to customers placing take-out or delivery orders. Establishments such as pizza parlors (Class A license holders) will be able to sell beer to customers on take-out or delivery orders. On March 26, 2020, Gov. Ricketts signed an [Executive Order 20-09](#) allowing restaurants to sell to-go mixed drinks so long as the containers are sealed with a lid.
- **Curbside Sale of Alcohol-** To encourage social distancing, restaurants and bars will be permitted to sell alcohol on drive-thru or curbside orders without customers having to exit their motor vehicles.
- **Temporary Operating Permits** – Temporary operating permits will be extended from 90 to 180 days.
- **Waiver of Excise Tax Penalties** – Excise tax payees still have the duty to file and pay the excise tax according to statute. However, the executive order will waive penalties for late payments.
- **Credit and Payment** – Under normal circumstances, wine and spirit deliveries must be paid within 30 days. The executive order allows an extension if agreed upon by the parties as follows: restaurants and bars 90 days to pay for wine and spirit deliveries for the duration of the COVID-19 emergency. The requirement

that beer deliveries be paid upon delivery is not changed.

NEVADA

Legislative Session: There is no scheduled Session in 2020.

Restaurant and Bars Closures: Starting March 17, 2020, all casinos, bars, and restaurants closed to dine-in customers for 30 days but may offer food takeout or delivery.

Liquor Store Closures - Deemed Non-Essential: On March 22, 2020, Gov. Sisolak issued a memo closing all liquor stores, as they are specifically deemed "non-essential." However, beer, wine and spirits sales may continue at other locations such as grocery stores, and can be delivered from these locations as well. The state has not yet addressed or changed the prohibition of on-premise delivery of alcohol with food.

Wholesalers Deemed Essential: On April 1, 2020, Gov. Sisolak [issued a Directive](#) that expands the closure of non-essential businesses and extends the March 20 Stay at Home order until April 30. Wholesalers are deemed "essential" in Nevada under the March 20 order, as are grocery stores (which can sell beer, wine, and spirits). The state has not issued guidance on alcohol sales from on-premise locations.

Emergency Rulemaking:

- *The cities of [Henderson](#) and [Las Vegas](#) have each issued an order to allow "Time Limited Liquor Permits."* These enable restaurants with existing on-premise beer, wine, or spirits permits to sell alcohol for which it is already permitted with food orders for **curbside pickup**. Henderson specifically states this does not enable delivery. **Las Vegas confirmed that it is allowing the 16 liquor stores in the city to deliver packaged liquor. The city says that grocery stores are also currently eligible to be licensed for delivery of alcohol under certain circumstances.**

NEW HAMPSHIRE

Legislative Session: The legislature suspended all legislative activities through May 4.

Restaurant and Bars Closures: Gov. Sununu issued an [emergency order](#) stating that until April 7 all restaurants and bars are required to serve patrons only by carry-out, delivery, curbside pick-up, and drive-through methods.

Essential Businesses: On March 26, Gov. Sununu issued [Executive Order 17](#), a stay at home order, closing all non-essential businesses effective March 27 at midnight. [Exhibit A](#) to the Order deems essential: liquor stores, restaurants for carryout/delivery only, grocery stores, and employees of firms providing services that enable logistics operations including...distributing products for wholesale or retail sale.

Alcohol Delivery Laws: Beer and wine retail delivery allowed.

Emergency Rulemaking: On March 18, Gov. Sununu issued an [Emergency Order 6](#) that temporarily authorizes take-out and delivery of beer and wine with a food order for businesses that have a restaurant license and an on-premise license.

NEW JERSEY

Legislative Session: Assembly convened via teleconference March 25. Assembly adjourned until May 4. Senate adjourned until a date and time to be announced.

Restaurant and Bars Closures: On Saturday, March 21, the governor issued a [Stay at](#)

[Home Order \(EO-107\)](#) closing all non-essential retail businesses though restaurants may remain open for takeout and delivery only.

Essential Businesses: On March 21, 2020, Gov. Murphy issued [Executive Order 107](#) closing all non-essential businesses; the order deemed essential: grocery stores, liquor stores, and restaurants (for off-premise consumption only).

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking: On March 30, the New Jersey Division of Alcoholic Beverage Control (“ABC”) issued [Advisory Notice AN 2020-03](#) and [Special Rule 2020-01](#) relating to alcohol delivery:

- **Bars and Restaurants**. Licensed bars and restaurants may be open during their normal business hours, but for pick-up and delivery only. There is no on-premise consumption until further notice. Deliveries by licensees must be in vehicles with a transit insignia, and there is no delivery of open containers. The Advisory Opinion reminds retailers that the sale of hard liquor/spirits is prohibited after 10:00 p.m.
- **Private Clubs**. Whether or not they sell alcohol, private clubs must be closed.
- **Concessionaire Permits**. Those holding concessionaire permits (issued by the state to persons or businesses operating on property owned or under the control of the State, county, or municipality), may seek special permission to sell alcoholic beverages in original sealed containers for off-site consumption by demonstrating good cause, as set forth in the concessionaire permit statute.
- **Craft Manufacturing Licenses**. There is no on-premise consumption in tasting rooms until further notice. They may sell alcoholic beverages in original sealed containers for customer pick-up (outside or adjacent to the premises) during their normal business hours. Deliveries must be made using vehicles with a transit insignia.
- **Liquor Stores**. Liquor stores must try to provide pick-up services for orders placed by phone or online. Deliveries must be made using vehicles with a transit insignia. Grocery stores with a liquor store license may continue to operate in accordance with the above.
- **Craft Breweries**. Home deliveries permitted for limited (craft) breweries. Following Executive Order No. 107, limited brewers began delivering product to customers’ homes. Although this is not prohibited by the authorizing statute, it was disallowed under the May 29, 2019, Special Ruling. Questions were raised whether Executive Order No. 107 did in fact authorize home deliveries by craft breweries and whether that was intended by the Governor. In light of this “confusion,” the Advisory Opinion expressly permits deliveries to customer’s homes in a vehicle with a transit insignia.
- **Craft Distilleries**. No home deliveries for craft distilleries. Craft distilleries, however, are *not* permitted to deliver to customers’ homes, as that conduct is expressly prohibited by the applicable statute.
- **Growlers and Crowlers**. Growlers and crowlers are considered original sealed containers for purposes of off-premises sales by retailers and limited breweries.

NEW MEXICO

Legislative Session: Regular session has previously adjourned per normal legislative session calendar.

Restaurant and Bars Closures: Gov. Grisham [announced a new emergency order Wednesday](#) temporarily limiting restaurants in the state to takeout and food deliver. Restaurants and bars still prohibited from offering alcohol to go. Package liquor

stores, brewpubs in growlers, bottled or canned form, and package sales from a winery are permitted for off-premises consumption.

Essential Businesses: **On April 6, 2020, Gov. Grishman issued [Executive Order 2020-022](#) (changing and extending the March 23, 2020 [Stay at Home Order](#)). The new order extended the stay at home order through April 30 and removed the essential status of independent liquor stores. Grocery stores and convenience stores remain essential and may still sell alcohol.**

Alcohol Delivery Laws: No retailer delivery law.

NEW YORK

Legislative Session: The legislature is in recess.

Restaurant and Bars Closures: The Governor issued a Stay at Home order - all non-essential businesses are closed. Restaurants can operate for delivery/takeout only.

Essential Businesses: New York deemed essential the entire 3-tier system and exempted liquor stores from the rule requiring at least 75% of a business' workforce to work from home.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking:

- **On-premise Delivery of Beer and Wine with a Food Order Authorized** : The governor ordered the State Liquor Authority (SLA) to [promulgate guidance and a Q&A](#) on temporary off-premises privileges for licensed on-premises businesses. Related to delivery, among other provisions, the guidance permits the following without the need for a waiver:
 - Alcoholic beverage sold for off-premises consumption pursuant to this guidance may be sold in any closed or any sealed original container of any size. Provided that:
 - The sale of each container shall be accompanied by the purchase of food;
 - Sales should be consistent with municipal open container ordinances.
 - Alcoholic beverages sold for off-premises consumption pursuant to this guidance may be sold for takeout from the licensed premises or may be delivered to the customer's residence.
 - Deliveries shall be made in a vehicle permitted by the Authority (e.g., a third-party delivery service), or a vehicle-owned and -operated, or hired and operated by the licensee or its employee. A copy of the permit or license must be present in the vehicle.

NORTH CAROLINA

Legislative Session: The General Assembly canceled committee meetings until April 1 and will allow staffers to work remotely. Senate President expects the annual "short session" to start as scheduled on April 28.

Restaurant and Bar Closures: On Tuesday, March 17, Gov. Cooper [ordered](#) restaurants and bars to stop dine-in operations but food takeout and delivery may continue. The order is scheduled to end March 31 but may be extended.

Essential Businesses: On March 27, 2020, Gov. Cooper issued [Executive Order 121](#), a

stay at home order, closing all non-essential businesses effective March 30 at 5:00 pm until April 30. The order deems essential: grocery stores, liquor stores, and food and beverage distribution, as well as those businesses identified by the federal [DHS-CISA Guidance](#).

Alcohol Delivery Laws: Beer and wine retail delivery allowed.

Emergency Rulemaking: A spokesman for Gov. Cooper said allowing cocktail deliveries would require action from the legislature — not an executive order. On Tuesday, March 17, 2020, the North Carolina ABC issued [Compliance Guidance for Executive Order 118](#):

- **On-Premise To-Go Sales**: For businesses with appropriate retail beer or wine permits all sales for off-premise consumption of beer and wine must be for carry-out and in "the manufacturer's original container."
- **Retail Curbside Pickup**: Retail permittees may deliver beer and wine for off-premise consumption in the manufacturer's original container to vehicles at a curb or a parking space adjacent to the licensed premises without requesting approval of extension of premises from the ABC Commission, while this Executive Order remains in effect. Spirituous liquor sales (and return policies) from ABC stores are determined by local ABC boards.
- **Distilleries To-Go Sales**: Distilleries may still sell bottles for off-premises consumption. The ABC Commission will not enforce the requirement of a tour of the distillery before purchasing a bottle.
- **Excise Taxes**: North Carolina's excise tax payments have been postponed until July 15.

NORTH DAKOTA

Legislative Session: There is no scheduled Session in 2020.

Restaurant and Bars Closures: On April 1, 2020, Gov. Burgum issued [Executive Order 2020-06.2](#) to extend the closure of bars and restaurants, except for carryout and delivery, from April 6 to April 20.

Alcohol Delivery Laws: No retailer delivery law.

Emergency Rulemaking:

- **City of Fargo**: On-Premise Curbside Sales: On Monday, March 23, 2020, the Fargo City Council passed an [emergency order](#) that authorized licensed restaurants within the City of Fargo that are also licensed for on-sale serving of alcoholic beverages, the sale of sealed cans or bottles of alcoholic beverages to customers taking delivery of prepared food or meals from the restaurant on a "take-out", "curbside delivery", "drive-through" or employees of said restaurant or by other lawful means of delivery shall be deemed to be "on-sale" service or sale of such beverages. Delivery of meals only—without any accompanied sale of alcoholic beverages—may be delivered by agents or 3rd party meal-delivery-services.

OHIO

Legislative Session: On March 13, 2020, the House cancelled its session indefinitely; no changes for Senate.

Restaurant and Bars Closures: Restaurants and bars closed; restaurants may continue take-out and delivery services. By [order](#) of the Department of Health, liquor, beer, and wine sales are restricted to carry-out sales and delivery only. The order became effective March 15, 2020, and there is no end date though it will continuously be

assessed. The Ohio Division of Liquor Control issued a [Bar and Restaurant Closure FAQs](#) for more information.

Essential Businesses: On Sunday, March 22, 2020, the Department of Health issued a statewide "[Stay at Home" Order](#) that identifies food distribution as "essential infrastructure" and is widely being interpreted to include alcohol distributors.

Alcohol Delivery Laws: Beer and wine may be sold for carryout or for delivery; (spirituous) hard liquor is NOT allowed for carryout or delivery by an on-premise account.

Emergency Rulemaking:

- **On-Premise To-Go and Delivery: On April 7, 2020, the Ohio Liquor Control Commission met in an emergency public meeting to consider an emergency rule that, if approved by the governor, would allow for the sale of beer, wine, spirituous liquor, and mixed beverages sold in a closed container for off premise consumption BY THE INDIVIDUAL DRINK with a to-go or delivered meal. Spirituous liquor drinks cannot contain more than two ounces of spirituous liquor per container and orders are limited to no more than two drinks may be sold per meal.**
- **Returns**: The Ohio Division of Liquor Control [announced](#) on Wednesday, March 18, 2020, that it would permit restaurants to return unopened containers of liquor that might have been stockpiled for St. Patrick's Day. The policy covers purchases made in the past 30 days. The order also extends to those who may have obtained a temporary permit (F2) for an event scheduled between March 12, 2020 and April 6, 2020, and that event is now cancelled.

OKLAHOMA

Legislative Session: The legislature convened a special session on April 6 to deal with COVID-19 matters.

Restaurant and Bars Closures: **On April 1, 2020, Govt. Stitt issued [Seventh Amended Executive Order](#) that prohibits restaurants from offering dine-in service effective through April 30.**

Essential Businesses: On April 1, 2020, Govt. Stitt issued [Seventh Amended Executive Order](#) extending the closing all non-essential businesses where counties have community spread effective through April 30. Essential business designations follow the federal Cyber and Infrastructure Security Agency ([CISA](#)) [guidance](#) which includes: Workers supporting groceries, pharmacies and other retail that sells food and beverage products; restaurants - for carry-out and delivery food operations; and employees and firms supporting food, feed, and beverage distribution, including warehouse workers.

Alcohol Delivery Laws: No retailer delivery statute.

Emergency Rulemaking: On March 17, 2020, the Oklahoma ABLE Commission issued the following guidance on [returns](#) and [on-premise sales](#):

- **On-Premise To-Go**: Licensees whose primary purpose is that of a restaurant may sell, during regularly authorized hours, closed original packages of beer and wine only when ancillary to an in conjunction with food sales, and when such sales are completed in a curbside pick-up or drive-through manner only. Deliveries of alcoholic beverages to consumers remain prohibited. The order is effective until April 17 unless amended or revoked earlier.
- **Off-Premise Curbside Pickup**: The ABLE Commission authorized the ABLE

agents in the field to tell retailer businesses, such as grocery stores and package stores, that they were temporarily permitting curbside service.

- **Off-Premise Delivery:** On Tuesday, March 24, the ABLE Commission [released a letter](#) approving temporary deliveries by retailers such as package stores, grocers, c-stores, restaurants, bars, small brewers, and small wineries through April 17, 2020. Retail Package stores can deliver spirits, wine, and beer, whereas the other retailers (restaurants, grocery stores, etc.) may only deliver wine and beer. Only the retailers' employees may deliver the alcoholic beverages.
- **Returns:** A licensed beer distributor, wine and spirit wholesaler, or self-distributor may accept the return of alcoholic beverages ordered by an event licensee if the event was set for March 11, 2020 or after and was cancelled, and the return is completed within 10 days of the cancellation. The order is effective until April 16, 2020.

OREGON

Legislative Session: Regular session adjourned March 5 per normal legislative session calendar.

Restaurant and Bars Closures: [Gov. Brown announced](#) that starting Tuesday, March 17, for at least four weeks restaurants, bars, and other establishments that offer food or beverages for sale are restricted to carry-out and delivery only with no on-site consumption permitted. On Monday March 23, 2020, Gov. Kate Brown issued [a Stay at Home Order \(EO 20-12\)](#) that prohibits the operation of specific retail businesses. The order permits restaurants, bars, taverns, brew pubs, wine bars to stay open for off-premise consumption only and requires such businesses to implement strict social distancing measures and designate an employee or officer charged with ensuring compliance.

Alcohol Delivery Laws: Beer and wine retail delivery allowed.

Emergency Rulemaking:

- **On-Premise:** On-premise (restaurants and bars) will need to get an additional O-License from the OLCC in order to sell carry-out alcohol and deliver alcohol to consumers. The OLCC will prioritize granting the new delivery/to-go sales licenses on a 90-day temporary basis upon request.
- **Returns:** The OLCC is providing relief to holders of Temporary Sales License (TSL) by allowing alcohol returns; Allowing holders of Annual Retail License to return beer, wine & cider.

Local Wholesaler Efforts: The Oregon Beer & Wine Distributors Association sent a [joint letter](#) to Gov. Brown, legislators, and the OLCC reiterating that the hospitality sector needs support including temporary measures to deliver alcohol remotely.

PENNSYLVANIA

Legislative Session: The Pennsylvania House passed temporary rules allowing members to vote remotely, essentially putting the 203-member body on an indefinite work-from-home policy as cases of the coronavirus continue to increase.

Restaurant and Bar Closures: On March 16, [Gov. Tom Wolf said all bars and restaurants](#) in Pennsylvania would be limited to takeout and delivery beginning at midnight that day.

Retailer Closures: The Pennsylvania Liquor Control Board [announced](#) that starting March 17, 2020, all Fine Wine & Good Spirits will be closed, **however, the PLCB will permit, via its website, customers may purchase up to six bottles per transaction**

from a reduced catalogue of about 1,000 top-selling wines and spirits. All orders must be shipped to home or non-store addresses, and only one order per address will be fulfilled per day.

Essential Businesses: Effective April 1, 2020 until April 30, Gov. Wolf's Stay at Home Order closed all non-essential businesses – “beer, wine, and distilled alcoholic beverage merchant wholesalers” were deemed essential but “beer, wine, and liquor stores” were deemed non-essential.

Alcohol Delivery Laws: Beer and wine retailer delivery allowed.

RHODE ISLAND

Legislative Session: The legislative session is cancelled through April 10.

Restaurant and Bar Closures: Restaurants may operate in delivery, drive through, or pickup capacity only.

Essential Businesses: **On April 8, 2020, Gov. Raimondo announced that [Executive Order 20-13](#), which closed all non-essential retail businesses is extended through May 8. Liquor stores are deemed essential.**

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

SOUTH CAROLINA

Legislative Session: Session is suspended until April 8.

Restaurant and Bar Closures: Starting Wednesday, March 18, all bars and restaurants must close in-house service although takeout and curbside delivery of food is allowed and encouraged. On March 31, 2020, Gov. McMaster issued [Executive Order 2020-17](#) that ordered the closure of additional non-essential businesses but does not make changes to previous orders relating to restaurants or affect the three-tier system.

Essential Businesses: **On April 3, 2020, Gov. McMaster issued [Executive Order 2020-18](#) closing additional specific non-essential businesses; beverage alcohol stores nor wholesalers were listed as non-essential.**

Alcohol Delivery Laws: No retailer delivery statute.

Emergency Rulemaking:

- **On-Premise To-Go/Curbside Pickup**: On March 21, 2020, Gov. McMaster signed [Executive Order 2020-12](#) suspending a portion of the state's liquor law in order to allow restaurants to offer customers the ability to pick up beer and wine in sealed containers, either from within licensed venues or at the curbside.

Local Wholesaler Efforts: Following the Charleston Shelter in Place Order, the Wine & Spirits Wholesalers Association of SC sent a letter to the Charleston Mayor and all members of City Council requesting that the alcohol supply chain be deemed essential services as well as letters to the mayors and city councils for the other 13 cities in SC most affected by COVID-19.

SOUTH DAKOTA

Legislative Session: No suspension or postponement of the legislative session has been announced. The legislature will meet Monday, March 30, 2020, for “Veto Day” when they will take the opportunity to consider COVID-19 legislation which may

include granting new, emergency powers to the governor.

Restaurant and Bars Closures: As of March 23, 2020, no statewide closures at this time as the governor does not have that authority; however, on March 23, Gov. Noem issued an [Executive Order](#) outlining guidelines restaurants and retail businesses but does not mandate closure.

Rapid City Stay at Home Order: The city council of Rapid City, SD, the second largest city in the state, voted Sunday, March 22 to close public places such as bars and restaurants (but still permit take out). A second vote will be required Friday, March 27 before that takes effect. The state's largest city, Sioux Falls, has not taken similar action. Per Sioux Falls' mayor, they're concerned people will simply go to bars and restaurants in surrounding communities absent a state-wide closure order.

Alcohol Delivery Laws: No retailer delivery laws.

TENNESSEE

Legislative Session: Legislature is adjourned until June 1.

Restaurant and Bar Closures: On Sunday, March 22, 2020, Gov. Lee signed [Executive Order 17](#) that closed restaurants and bars to dine-in service but may remain open for drive-through, carryout or delivery (see below for alcohol delivery temporary rules).

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

Emergency Rulemaking:

- **On-Premise Sales**: On Sunday, March 22, 2020, Gov. Lee signed [Executive Order 17](#) that temporarily allows restaurants to sell for take-out or delivery alcoholic beverages or beer so long as, among other requirements, it is for off-premise consumption and is accompanied by the sale of food in the same order, and is packaged in a closed container.
- **Memphis On-Premise Delivery Authorized**: On Saturday, March 21, 2020, the Memphis Alcohol Commission unanimously voted to temporarily allow restaurants to sell beer for delivery and takeout.

TEXAS

Legislative Session: There is no scheduled session in 2020.

Restaurant and Bars Closures: Gov. Abbott closed all restaurants and bars statewide except for delivery and take out. Alcohol may accompany food deliveries or food takeout but must comply with present laws requiring the alcohol to be in a sealed manufacturer container (see below for more information).

Essential Businesses: Texas counties and cities are starting to shut down non-essential businesses with "shelter in place" orders very rapidly; liquor/package stores were classified as essential by all counties and municipalities which have ordered shelter in place.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed via third-party companies. Current state law allows businesses and restaurants that hold a Wine and Beer Retailer's Permit (BG) or a Retail Dealer's On-Premise License (BE) to sell alcoholic beverages to go, including curbside service. Alcoholic beverages sold to go must be in sealed containers (the beverage may be mixed and sealed by the restaurant) and must be permitted for sale under that business' license or permit.

Emergency Rulemaking:

- **On-Premise Licensee may Deliver Beer, Wine, and Mixed Drinks with Food Order:** Governor Greg Abbott issued a waiver that will allow restaurants to deliver alcoholic beverages with food purchases to patrons, including beer, wine, and mixed drinks. Under this waiver, effective immediately, restaurants with a mixed beverage permit may sell beer, wine, or mixed drinks for delivery as long as they are accompanied by food purchased from the restaurant.
 - On March 19, the TABC issued a [COVID-19 FAQ](#) and [guidance](#) addressing the delivery waiver issued by Governor Abbott as well as [charts](#):
 - These restaurants are hereby authorized to allow customers to pick-up food orders that include alcohol and to conduct deliveries to customers of food orders that include alcohol under the following limited conditions.
 - Hold a Mixed Beverage Permit (MB) (regardless of whether they also hold a Food & Beverage (FB) Certificate),
 - Have permanent food service capabilities at the premises, and
 - Have been forced to end dine-in services by a governmental entity due to the coronavirus pandemic.
 - General Authority: Eligible restaurants may:
 - Allow customers to pick up orders from the restaurant that include alcohol,
 - Deliver orders that include alcohol to customers,
 - Use third parties acting as an agent of the MB to make deliveries,
 - Use independent contractors holding a Consumer Delivery Permit (CD) to make deliveries on their behalf.
- **Returns:** Governor Abbott directed the Texas Alcoholic Beverage Commission (TABC) to waive certain provisions to allow manufacturers, wholesalers, and retailers of alcoholic beverages to repurchase or sell back unopened product. The buy-back waiver allows alcohol distributors and manufacturers to repurchase excess inventory from restaurants, bars, and clubs affected by event cancellations due to COVID-19. On April 3, 2020, TABC issued [additional guidance](#) outlining the temporary waiver allowing repurchase of alcoholic beverages.
- **Credit:** On April 2, 2000, [TABC announced](#) it will not penalize retailers that fail to make timely payments for cash law purchases from March 1-31, 2020, and credit law purchases from March 1-31, 2020, associated with Delinquent List #1794, and Delinquent List #1795.
- **Excise Taxes:** On April 3, 2020, TABC issued an [Industry Notice](#) stating that it will not seek to penalize licensees and permittees for late submissions that were caused by some circumstance outside of their control related to the coronavirus pandemic (e.g., short staffed, etc.).
- **Temporary Process for Signing the Invoice:** On April 3, 2020, TABC issued an [Industry Notice](#) implementing a Temporary Process for Signing the Invoice.

UTAH

Legislative Session: Regular session adjourned March 12 per normal legislative session calendar.

Restaurant and Bars Closures: The Utah Department of Health issued an order Tuesday, March 17 that banned all dine-in options at restaurants, bars and food establishments statewide for two weeks. Food options are allowed via curbside, drive-thru, delivery, and pick up at food establishments across the state. The order also created rules for restaurants to check employees for symptoms at the start of

each shift. Salt Lake County and Summit County are both prohibiting dine-in food service at restaurants and bars but food take-out, delivery, and grocery shopping is still permitted but with tighter rules. Read more [here](#).

Alcohol Delivery Laws: No retailer delivery permitted.

VERMONT

Legislative Session: The House will be conducting a token session on Friday, April 3.

Restaurant and Bars Closures: On March 16, [Gov. Phil Scott ordered](#) all bars and restaurants closed, effective on 2 p.m. on Tuesday, March 17. Restaurants may provide food delivery and take-out services.

Essential Businesses: On Tuesday, March 24, Gov. Scott issued [Addendum 6 to EO 01-20](#) directing residents to stay at home order and the closure of non-essential businesses. The order deemed essential: “retail serving basic human needs such as grocery stores, pharmacies, other retail that sells food, beverage, animal feed and essential supplies, provided, these retail operations shall be conducted through on-line and telephone orders for delivery and curbside pickup to the extent possible” as well as the “transportation sector.”

Alcohol Delivery Laws: Beer and wine retail delivery allowed for businesses with an off-premise retail delivery permit.

Emergency Rulemaking:

- **On-premise Delivery of Beer, Wine, and Mixed Drinks with Food Order**
Authorized: On March 19, Gov. Scott issued [Directive 4](#) permitting “to-go” sales and delivery of beverage alcohol with the purchase of a meal, as well as the delivery of alcohol product by licensed retail stores until April 15, as follows:
 - 1st class licensees (on-premise) are authorized to allow for take-out, curbside pickup and delivery of beverage alcohol, including spirit-based drinks and malt and vinous product accompanying food orders for off-premise consumption.
 - 2nd class licensees (off-premise) are authorized to allow for delivery and curbside pickup of unopened containers of spirits, spirit-based product, and malt and vinous product.
- **Beverage Container Redemption**: On March 18, 2020, the Department of Environmental Conservation (DEC) [announced](#) it will temporarily stop pursuing enforcement action against retailers or redemption centers who fail to redeem beverage containers subject to Vermont’s bottle bill law (10 VSA §1523) until April 30, 2020.
- **Returns**: The [DLC’s COVID-19 FAQs](#) states that beer and wine wholesale distributors can agree to take back unopened, clean product for account credit. Returns are at the discretion of the wholesale distribution. Additional provisions in place for retailers looking to return spirits to the VT Liquor Agency.

VIRGINIA

Legislative Session: Regular session adjourned per normal legislative session calendar.

Restaurant and Bars Closures: On Monday, March 23, Gov. Northam issued a [statewide order](#) closing all non-essential business including dine-in service at restaurants and bars though delivery and takeout may continue.

Agency Store Reduced Hours: On March 27, the ABC announced that store hours would be reduced. In the event we determine it is necessary to close our stores, we

will do so in consultation with the Northam administration.

Essential Business: Beer, wine, and liquor stores were deemed essential and may remain open. Gov. Northam's March 30 [Executive Order 55](#) expands stay at home limitations and duration, now until June 10, 2020, but does not make changes to businesses already deemed essential.

Alcohol Delivery Laws: Beer and wine retail delivery allowed.

Emergency Rulemaking: The Virginia Alcoholic Beverage Control Authority (ABC) Bureau of Law Enforcement has [adjusted licensing regulations](#) in response to Executive Order 51 as follows:

- **On-Premise Sales**: Businesses with strictly on-premise privileges (restaurants, eat-in establishments) allowed to exercise off-premise privileges such as allowing the sale of wine or beer in sealed containers for curbside pickup in a designated area (parking lot, etc.), and delivery of those products to customers' homes without needing a delivery permit. In order for licensed businesses to use this feature, both curbside pickup and delivery must be facilitated by a customer's electronic order either online, over the phone or through an app.
- **Off-Premise Curbside Pickup**: Licensees with off-premise privileges, including breweries, farm wineries and wineries may sell products for curbside pickup in a designated area or deliveries to customers' homes without obtaining an additional delivery permit. Distillery stores may deliver products to customers seated in their vehicle on the premises or in the parking lot of the distillery. See [additional guidance](#).
- **Signature Upon Delivery Suspended**: Per [Virginia ABC FAQ](#) issued on Monday, March 23: The Authority acting under the abilities granted within Executive Order 51 has made the decision to grant this one time exception to allow a deviation from the regulation in which wholesalers may make deliveries to retail licensees and forgo the requirement to get a retailer's signature when making a delivery. However, in lieu of collecting the actual physical signature of the purchaser, the wholesaler making the delivery will denote on the invoice the legible full name of the individual that is receiving the delivery as well as their applicable title within the business.
- **Returns**: Per the [Virginia ABC FAQs issued March 24](#), the Authority acting under the abilities granted within Executive Order 51 has granted a one-time exception to allow a deviation from the regulation in which wholesalers may pick up wine and beer products from licensees in which their immediate operations have been affected by the Novel Coronavirus (COVID-19). Also, a refund of money associated with that specific pick-up may be given to that licensee by such wholesaler. Any such pick up and refund shall be documented by the wholesaler on the proper invoice. (Ex: Wholesaler pickup of 100 cases of ABC Beer from retailer due to COVID-19 cancellation of XYZ concert, \$200 refunded CK#9999 to retailer.)

WASHINGTON

Legislative Session: Regular session adjourned March 12 per normal legislative session calendar.

Restaurant and Bars Closures: On March 15, Washington Gov. Jay Inslee announced that starting March 17 all bars and restaurants would no longer be able to serve in-person patrons; food takeout and delivery is still available.

Essential Businesses: On Monday, March 23, 2020, Gov. Inslee issued a "Stay at Home" Order that deems the following as [Essential Critical Infrastructure Workers](#)

that may remain open: workers supporting...liquor stores that sell food; restaurant carry-out and quick serve food operations – including food preparation, carry-out and delivery food employees; and employees of firms providing services that enable logistics operations, including cooling, storing, packaging, and distributing products for wholesale or retail sale or use.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.

WEST VIRGINIA

Legislative Session: Regular session adjourned March 7 per normal legislative session calendar.

Restaurant and Bars Closures: On Tuesday, March 17, Gov. Justice confirmed the first positive COVID-19 case in the state and mandated that all bars, dine-in restaurants, and casinos within the state close at 11:59 pm on Tuesday evening although food carryout and delivery are allowed.

Essential Businesses: On Monday, March 23, 2020, Gov. Justice issued a [State at Home Order](#) that deemed alcohol beverage retailers essential businesses as well as “their supply chain and administrative support operations.”

Alcohol Delivery Laws: None

WISCONSIN

Legislative Session: The Legislature is in special session April 4 –7.

Restaurant and Bars Closures: Per the order of Gov. Evers “Restaurants may remain open for [food] take-out or delivery service only. No seating may be provided, and food may not be consumed in the restaurant. Restaurants must preserve social distancing of six feet between customers during pick up. Hotels and motels may remain open, but their restaurant facilities must comply with these restrictions. Bars must close.” The order is effective for the duration of the public health emergency.

Essential Businesses: On Tuesday, March 24, 2020, Gov Evers announced a [Stay at Home Order](#) that directs all nonessential businesses to close down; the order deems essential the following: alcohol stores, restaurants (for takeout/delivery only).

Alcohol Delivery Laws: No retailer delivery statute.

Emergency Rulemaking:

- **On-Premise Carryout**: On March 20, 2020, Gov. Evers issued an [updated emergency order](#) clarifying that on-premise licensees may offer carryout sales or alcohol beverages and food if permitted by state or municipal law. The order [prohibits delivery of alcohol](#) beverages to retail customers unless the customer first comes to the licensed or permitted premises to make payment in person.
- **Insurers Must Cover Delivery Services**: At the direction of Gov. Evers, Insurance Commissioner Mark Afable ordered insurers operating in Wisconsin to assist restaurants who have begun offering delivery service to customers during the COVID-19 public health crisis. Insurers must cover delivery services for restaurants on personal auto insurance policies and must offer coverage for hired drivers and non-owned automobiles as a rider on a restaurant's general liability insurance if it is requested – both at no extra cost to the policyholders.

WYOMING

Legislative Session: Regular session adjourned March 12 per normal legislative session

calendar.

Restaurant and Bars Closures: On Thursday, March 19, 2020, Gov. Gordon issued a statewide [Public Health Order](#) closing all restaurants and bars until April 3.

Alcohol Delivery Laws: Beer, wine, and spirits retail delivery allowed.