

CHAPTER 223
SB 79-FN - FINAL VERSION

03/13/2025 0727s
06/26/2025 2901EBA

2025 SESSION

25-0928
08/05

SENATE BILL **79-FN**

AN ACT enabling the use of self-pour automated systems by liquor commission licensees.

SPONSORS: Sen. Lang, Dist 2; Sen. Murphy, Dist 16; Sen. Gannon, Dist 23; Sen. Innis, Dist 7;
Sen. McGough, Dist 11; Sen. Pearl, Dist 17; Rep. Osborne, Rock. 2; Rep. Moffett,
Merr. 4; Rep. Berry, Hills. 44

COMMITTEE: Commerce

ANALYSIS

This bill defines and enables the use of self-pour automated systems by holders of on-premises licenses.

Explanation: Matter added to current law appears in ***bold italics***.
Matter removed from current law appears [~~in brackets and struck through.~~]
Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Twenty Five

AN ACT enabling the use of self-pour automated systems by liquor commission licensees.

Be it Enacted by the Senate and House of Representatives in General Court convened:

1 223:1 New Section; Self-Automated Pour Systems. Amend RSA 178 by inserting after section 22 the
2 following new section:

3 178:22-a Self-Automated Pour Systems.

4 I. In this section:

5 (a) "Automated system" means a mechanized device capable of dispensing alcoholic
6 beverages in a predetermined amount directly to an employee of the licensee or a patron when an RFID
7 device activates the mechanized device.

8 (b) "Licensee" means a holder of an on-premises license under RSA 178:20, RSA 178:20-a,
9 RSA 178:21, or RSA 178:22.

10 (c) "Quantity limit" means 32 ounces of beverage or 32 ounces of cider not exceeding 6
11 percent alcohol by volume, or 10 ounces of wine.

12 (d) "Radio frequency identification device" or "RFID device" means a card, wristband, or
13 other item that uses electromagnetic fields, ultra-high frequency radio waves, or other similar technology
14 that automatically and uniquely identifies the user of the device.

15 II. Automated systems may be used by a licensee under the following conditions:

16 (a) A licensee may offer self-service of beverage or cider not exceeding 6 percent alcohol by
17 volume, or wine from an automated system on the premises of the licensee.

18 (b) No licensee shall allow an automated system to be used by patrons without first providing
19 notification to the liquor commission of the licensee's intent to use an automated system.

20 (c) The sale of the alcoholic beverage through the automated system shall be deemed to
21 occur between the licensee and the patron.

22 (d) Every licensee offering a patron self-service through an automated system shall maintain
23 constant video monitoring of the automated system at all times during which the licensee is open to the
24 public. The licensee shall keep recorded footage from the video monitoring for at least 60 days and shall
25 provide the footage, upon request, to the commission or any authorized law enforcement agent.

26 (e) A licensee shall offer to a patron who prepays for an RFID device a prorated refund if the
27 patron does not serve himself or herself the full allowable amount of beverage, cider, or wine from the
28 automated system.

29 III. Automated systems shall have the following requirements:

30 (a) The automated system shall only be accessible by an activated RFID device that an
31 employee or patron receives from the licensee or the licensee's designee. Each time a patron activates or
32 reactivates the RFID device, the automated system may dispense to the patron an amount up to the

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1 quantity limit. The full amount of the quantity limit need not be served at once. No more than the quantity
2 limit shall be served per each activation of the RFID device.

3 (b) No beverage, cider, or wine shall be sold, served, or dispensed from an automated
4 system unless the brand name of the beverage, cider or wine manufacturer's product corresponding to the
5 container from which the beverage is drawn is affixed or imprinted on a card, sign, plate, button, screen,
6 or key of the dispensing spigot or nozzle. The automated system shall prohibit the intermixing of alcoholic
7 beverages of different brands or labels while dispensing.

8 (c) The automated system shall not dispense from or utilize a container other than the
9 original container as received from the manufacturer or wholesaler.

10 (d) No automated system shall allow beverage, cider, or wine to flow through copper or lead
11 tubing unless such tubing is isolated so that the alcoholic beverage does not come in direct contact with
12 the copper or the lead.

13 (e) The automated system shall be located in the main portion of the dining room or cocktail
14 lounge in an area that is constantly monitored by the licensee and visible to the public.

15 IV. RFID devices shall have the following requirements:

16 (a) An RFID device shall be automatically deactivated and rendered unusable by a patron if
17 it:

18 (1) No longer contains a volume credit or monetary credit; or

19 (2) Has been used to dispense the quantity limit.

20 (b) The automated system shall prohibit a patron from obtaining different types of alcoholic
21 beverage during the same activation. For the purposes of this section the types of alcoholic beverage are
22 beverage, cider, or wine.

23 (c) The licensee shall maintain the ability to activate and deactivate all RFID devices at any
24 time, and shall store the devices in a secure location that is not freely and readily accessible to patrons.

25 (d) Each RFID device shall only be used during the hours that the licensee is allowed to
26 serve alcoholic beverages according to its license under this chapter. All RFID devices shall be
27 deactivated upon the conclusion of legal service hours or when the premises closes, whichever occurs
28 first.

29 V. In order to access the automated system:

30 (a) An employee or patron shall obtain or activate an RFID device from the licensee or the
31 licensee's designee. A licensee or the licensee's designee shall not issue more than one active RFID
32 device to an employee or patron at any given time and shall ensure that the employee and patron do not
33 share the RFID device with another person.

34 (b) Before allowing a patron to use an RFID device, the licensee or the licensee's designee
35 shall verify that the patron is 21 years of age or older based upon a government-issued identification card
36 with a name that matches the patron's debit card, credit card, or mobile payment application. The
37 licensee or the licensee's designee shall record such verification of the patron's age in a print or digital log
38 that shall be kept upon the licensee's premises for a period of 3 years from the date of the last entry and
39 shall be available at all times that the premises is open for inspection by the commission and any

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1 authorized law enforcement agent. Such log may be kept off the licensee's premises but only with the
2 approval of the commission.

3 (c) The licensee shall not allow an intoxicated patron to access the automated system.

4 (d) Any patron in possession of an inactive RFID device may, upon production of the patron's
5 valid identification, have the RFID device reactivated a second time and subsequent times to allow
6 another service of an amount up to the quantity limit. The licensee shall not reactivate the RFID device
7 until the patron's first serving is substantially disposed of or consumed.

8 VI.(a) Beverage, cider, or wine pipe lines, barrel tubes, coils and other appurtenances used for
9 the dispensing of alcoholic beverages through an automated system shall be cleaned at least once a
10 week by the use of a hydraulic pressure mechanism, hand pump suction, or a force clear, or other
11 substantially similar system. After cleaning, the lines and tubes shall be rinsed with clear water until all
12 chemicals, if any have been used, have been removed. A print or digital record card shall be used to
13 record the dates of cleaning. Such card shall be signed by the person who performs the cleaning and
14 countersigned by the licensee. Such card shall be kept upon the licensee's premises for a period of one
15 year from the date of the last entry and shall be available at all times that the premises is open for
16 inspection by the commission and any authorized law enforcement agent.

17 (b) At least once every 30 calendar days, a licensee shall calibrate the automated system to
18 ensure that each ounce of liquid registered by the system is precisely one ounce of liquid poured. A print
19 or digital record card shall be used to record the dates of calibration. Such card shall be signed by the
20 person who performs the calibration and countersigned by the licensee. Such card shall be kept upon the
21 licensee's premises for a period of one year from the date of the last entry and shall be available at all
22 times that the premises is open for inspection by the commission and any authorized law enforcement
23 agent.

24 VII. The commissioner shall adopt rules under RSA 541-A relative to maximum dollar sales and
25 the maximum number of ounces that may be sold to a patron.

26 223:2 Effective Date. This act shall take effect 60 days after its passage.

Approved: July 15, 2025
Effective Date: September 13, 2025

