

HB 1481-FN - AS INTRODUCED

2026 SESSION

26-2832

08/09

HOUSE BILL            ***1481-FN***

AN ACT                enabling on-premises licensees to sell drinks made with distilled alcohol for take-out.

SPONSORS:            Rep. Hunt, Ches. 14

COMMITTEE:          Commerce and Consumer Affairs

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ANALYSIS

This bill enables on-premises licensees to purchase a license that allows the purchase of drinks made with distilled alcohol for take-out.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

STATE OF NEW HAMPSHIRE

*In the Year of Our Lord Two Thousand Twenty-Six*

AN ACT enabling on-premises licensees to sell drinks made with distilled alcohol for take-out.

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

1 1 Transportation of Beverages and Wine. RSA 179:15 is repealed and reenacted to read as  
2 follows:

3 179:15 Transportation of Beverages and Wine.

4 I. A person may transport or deliver beverages and wines in this state without a license,  
5 provided such beverages and wines were obtained as authorized by this title and provided such  
6 beverages and wines are for consumption only and not for resale purposes.

7 II. Licensees may transport and deliver to their place of business beverages and wines  
8 purchased as authorized under this title and may transport and deliver anywhere in the state such  
9 beverages and wines ordered from and sold by them in vehicles operated under the control of  
10 themselves or of their employees, provided that the owner of such vehicles shall carry a copy of the  
11 license issued by the commission in the vehicle driven on behalf of the licensee for whom they are  
12 transporting such beverages and wines.

13 III. Every person operating such a vehicle, when engaged in such transportation or delivery,  
14 shall carry a copy of the license in the vehicle so operated and shall carry such evidence as the  
15 commission by rule may prescribe showing the origin and destination of the beverages and wines  
16 being transported or delivered. Upon demand of any law enforcement officer, investigator, or  
17 employee of the commission, the person operating such vehicle shall produce for inspection a copy of  
18 the license and the evidence required by this section. Failure to produce such license or evidence  
19 shall constitute prima facie evidence of unlawful transportation. Except as otherwise provided,  
20 beverages and wines may be transported within the state only by a railroad or steamboat  
21 corporation or by a person regularly and lawfully conducting a general express or trucking business,  
22 and in each case holding a valid carrier's license issued by the commission. Nothing in this section  
23 shall prohibit individual retail licensees from arranging for the delivery of wine products to a  
24 location central for the parties involved.

25 2 New Section; Restaurant Delivery License. Amend RSA 178 by inserting after section 21 the  
26 following new section:

27 178:21-a Restaurant Delivery License.

28 I. Any on-premises licensee may purchase a restaurant delivery license from the commission  
29 for \$250. Such license shall expire one year after the date of issuance and may be renewed by an on-  
30 premises licensee for \$250 each year.

1 II. Notwithstanding the provisions of RSA 175:6 and RSA 179:15, an on-premises licensee in  
2 possession of a restaurant delivery license shall only be permitted to transport beverages, wines, and  
3 liquor for delivery to consumers subject to the following requirements:

4 (a) All deliveries of beverages, wines, and liquor shall be accompanied by food prepared  
5 by the restaurant delivery licensee and ordered by the consumer;

6 (b) All deliveries of beverages, wines, and liquor conducted pursuant to this section shall  
7 be undertaken during the on-premises licensee's hours of operation and shall be delivered only to  
8 areas where the sale of alcoholic beverages is permitted;

9 (c) All deliveries of beverages, wines, and liquor shall be solely for the personal  
10 consumption of the consumer and not for resale;

11 (d) All beverages and wines transported pursuant to RSA 179:15, II shall be transported  
12 in their original, manufactured, sealed containers;

13 (e) All drinks containing liquor transported pursuant to this section shall be transported  
14 in a container:

15 (1) That shall clearly identify the licensee from which the alcoholic beverage was  
16 purchased;

17 (2) That is sealed, with a tamper proof seal, by the restaurant delivery licensee in a  
18 manner that clearly demonstrates when the container has been opened;

19 (3) That identifies, on a label, a description of the contents of the alcohol in the  
20 beverage; and

21 (4) That identifies, on a label, the ABV (alcohol by volume) of the alcoholic beverage;

22 (f) Any individual engaged in the delivery of beverages, and wines, and liquor pursuant  
23 to this section shall be an employee who regularly receives a W-2 from the on-premises licensee and  
24 is at least 21 years of age; and

25 (g) During deliveries conducted under this section, the person engaged in making the  
26 delivery shall acquire a signed receipt from the consumer. Consumers who appear visibly  
27 intoxicated or who a reasonable and prudent person would know are intoxicated, who do not produce  
28 identification verifying the consumer's age, or who fail to sign a receipt shall not be entitled to his or  
29 her delivery of beverages, or wines, or liquor.

30 III. No holder of a restaurant delivery license or on-premises license shall deliver any  
31 beverages, wines, or liquor to any college, university, or school, whether public or private, located  
32 within the state. No holder of a restaurant delivery license or on-premises license shall deliver any  
33 beverages, wine, or liquor to any public library, public playground, or public park.

34 IV. A person holding an on-premises license engaged in take out services may include  
35 beverages, wines, and liquor with meals sold to a consumer for consumption by the consumer and  
36 not for resale. The requirements set forth in paragraph II shall apply to any take-out meal sold with  
37 beverages, or wines, or liquor.

1        3 Effective Date. This act shall take effect July 1, 2026.

**HB 1481-FN- FISCAL NOTE  
AS INTRODUCED**

AN ACT enabling on-premises licensees to sell drinks made with distilled alcohol for take-out.

**FISCAL IMPACT:**

<b>Estimated State Impact</b>				
	<b>FY 2026</b>	<b>FY 2027</b>	<b>FY 2028</b>	<b>FY 2029</b>
<b>Revenue</b>	\$0	Indeterminable Increase - \$150,000	Indeterminable Increase - \$160,000	Indeterminable Increase - \$175,000
<i>Revenue Fund(s)</i>	Liquor Fund/General Fund - Liquor revenue is credited to the Liquor fund, with net revenues after expenditures being credited to the state general fund.			
<b>Expenditures*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			
<b>Appropriations*</b>	\$0	\$0	\$0	\$0
<i>Funding Source(s)</i>	None			

\*Expenditure = Cost of bill

\*Appropriation = Authorized funding to cover cost of bill

**METHODOLOGY:**

This bill authorizes on-premises licensees to purchase a restaurant delivery license allowing them to sell and deliver mixed drinks containing liquor for takeout, subject to packaging, labeling, delivery, and identification requirements. The restaurant delivery license costs \$250 per year.

The Liquor Commission states this bill will result in an increase in state revenues beginning in FY 2027 due to the creation of the new \$250 restaurant delivery license. The Commission indicates that approximately 2,400 on-premises licensees could qualify for this license; however, the number that would choose to purchase a license cannot be predicted.

Using an assumption that approximately 25% of eligible licensees in the first year may participate with slight growth each year there after, the Commission estimates licensing revenue of approximately: FY 2027: \$150,000 (2,400 x 25% x \$250), FY 2028: \$160,000, and FY 2029: \$175,000.

The Commission states that state expenditures will not increase because the additional administrative workload can be absorbed within existing staff and resources.

Additionally, expanding the ability for consumers to purchase alcoholic beverages that are subject to the Meals and Rooms Tax may result in an indeterminable increase in state General Fund revenue. The extent of the increase cannot be determined because the number of sales, average drink price, and consumer demand for takeout mixed drinks are unknown.

**AGENCIES CONTACTED:**

Liquor Commission