

Senate Commerce Committee

Aaron Jones 271-2609

HB 81, relative to consumption of beverages or liquor in areas not approved for service by the liquor commission.

Hearing Date: April 29, 2025

Time Opened: 10:34 a.m.

Time Closed: 10:44 a.m.

Members of the Committee Present: Senators Innis, Ricciardi, Murphy, McGough, Fenton and Reardon

Members of the Committee Absent : None

Bill Analysis: This bill removes restrooms from the list of areas not approved for the serving or consumption of beverages or liquor.

Sponsors:

Rep. J. Sullivan

Rep. Ammon

Rep. Burroughs

Rep. Layon

Rep. Tom Mannion

Rep. Read

Rep. Wheeler

Rep. Seibert

Who supports the bill: Representative Erica Layon, Representative Judy Aron, James Gardner, Benjamin Hefner, Curtis Howland, Bill Alleman, Aubrey Freedman

Who opposes the bill: Henry Veilleux (NHLRA), Elizabeth Sargent (NH Association of Chiefs of Police), Heather Wilcauskas

Who is neutral on the bill: Mark Armaganian (NHLC)

Summary of testimony presented in support:

Representative Erica Layon, on behalf of Representative Jared Sullivan

- Representative Sullivan filed this bill after a friend had a drink, and they were sexually assaulted in a hotel room.
- Currently, alcohol cannot be brought into bathrooms. Representative Layon said there were more dangerous things than carrying a glass of alcohol into a restroom.
- Representative Layon said it was more important to empower people to protect themselves than micromanage how they manage their drinks.

Summary of testimony presented in opposition:

Henry Veilleux, on behalf of New Hampshire Lodging and Restaurant Association

- Individuals from the industry were opposed because it would be challenging for operators to manage and watch consumption of alcohol on their licensed premises. There is the potential for underage drinking and overconsumption as well.
- While the industry understood the impetus of this bill, bartenders will already take an individual's drink if they are going to the bathroom.
- **Senator Murphy** asked how this was supposed to work. On a busy Saturday night, a group of women could walk into the bathroom with their cocktails. He asked if someone should be at the entrance to say they cannot enter. Under current law, he asked how an operator was supposed to intercept individuals between their table and the bathroom.
 - **Mr. Veilleux** said he was sure it did not happen. While operators might try to, there are individuals bringing them into restrooms on a busy night.
- **Senator Murphy** asked if an operator faced a fine or license suspension if they failed to intercept every cocktail between a table and the bathroom.
 - **Mr. Veilleux** said he did not think the Commission was fining individuals. From an operator's standpoint, however, it would make it more complex due to underage drinking and overserving. The Commission would come down hard on an operator in these instances.
- **Senator Ricciardi** understood the intent of this bill, and she did not want anyone harmed, but it did not address incidents where women are sitting, and their drinks are still contaminated. She asked if there were laws that said bringing a drink into the bathroom was not a great idea.
 - **Mr. Veilleux** said someone from Public Health could answer this.

Neutral Information Presented:

Mark Armaganian, Director of Liquor Enforcement and Licensing, New Hampshire Liquor Commission

- Mr. Armaganian said this was a tough balance because both sides had valid points. There is a risk of contaminated drinks, while licensees are concerned with their culpability.
- The Commission has remained neutral on this bill because it is a sensitive issue.
- **Senator Murphy** asked if the Commission has ever cited or warned an operator because there were drinks in the restroom.
 - **Mr. Armaganian** said they were probably warned if they were on the premises. Under the new Liquor Enforcement Division, they have been about partnership. They are trying to help establishments keep control of their premises. There have been frequent complaints that miniatures are

being snuck into bathrooms. He reiterated that there were right answers on both sides of the argument.

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Date Hearing Report completed: May 2, 2025