

SB 24 - AS INTRODUCED

2025 SESSION

25-0260

08/09

SENATE BILL **24**

AN ACT allowing students under age 21 to taste wine in educational settings.

SPONSORS: Sen. Innis, Dist 7; Sen. Lang, Dist 2; Sen. Ward, Dist 8; Sen. Gray, Dist 6; Sen. Abbas, Dist 22; Sen. Sullivan, Dist 18; Sen. Avard, Dist 12; Sen. Rochefort, Dist 1; Sen. Murphy, Dist 16; Sen. McConkey, Dist 3; Sen. Pearl, Dist 17; Rep. Horrigan, Straf. 10; Rep. Potucek, Rock. 13; Rep. See, Merr. 26; Rep. Thibault, Merr. 25

COMMITTEE: Commerce

ANALYSIS

This bill allows students under age 21 to taste wine in certain educational settings.

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Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.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 Five

AN ACT allowing students under age 21 to taste wine in educational settings.

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

1 1 New Section; Consumption by Minors; Educational Settings. Amend RSA 179 by inserting after
2 section 10-a the following new section:

3 179:10-b Consumption by Minors; Educational Settings.

4 I. In this section:

5 (a) "Qualified academic institution" means a public college or university accredited by a
6 commission recognized by the United States Department of Education.

7 (b) "Qualified student" means a student enrolled in a qualified academic institution who
8 is at least 18 years of age.

9 (c) "Taste" means to draw an alcoholic beverage into the mouth, but does not include
10 swallowing or otherwise consuming the alcoholic beverage.

11 II. A qualified student may taste an alcoholic beverage, and both the student and the
12 qualified academic institution in which the student is enrolled shall not be subject to criminal
13 prosecution under RSA 179:10, if all of the following criteria are met:

14 (a) A qualified student shall attend and complete an alcohol educational program,
15 provided by the liquor commission, before the student tastes any alcoholic beverage provided by the
16 qualified academic institution.

17 (b) The qualified academic institution shall maintain records of tastings which shall
18 include the course number, instructor, location of the tasting, and listing of alcoholic beverages
19 tasted. Such records shall be made available to the liquor commission upon request.

20 (c) Tastings of alcoholic beverages shall be limited to facilities owned and controlled by
21 the qualified academic institution.

22 (d) Qualified students shall not be charged for alcoholic beverages provided for sampling.

23 (e) The qualified student tastes the alcoholic beverage while enrolled in a qualified
24 academic institution.

25 (f) The qualified academic institution has established an associate degree or bachelor
26 degree program in enology or brewing that is designed to train industry professionals in the
27 production of wine or beer.

28 (g) The qualified student tastes the alcoholic beverage for educational purposes as part
29 of the instruction in a course required for an associate degree or bachelor degree.

30 (h) The alcoholic beverage remains in the control of an authorized instructor of the
31 qualified academic institution who is at least 21 years of age.

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1 III. Nothing in this section shall be construed to allow a student under 21 years of age to
2 receive an alcoholic beverage unless it is delivered as part of the student's curriculum requirements.

3 IV. A license or permit is not required to be held by a qualified academic institution
4 engaging in the activities authorized by this section, provided an extra fee or charge is not imposed
5 for the alcoholic beverages tasted.

6 2 Unlawful Possession and Intoxication. Amend RSA 179:10, I to read as follows:

7 I. Except as provided in ***RSA 179:10-b and*** RSA 179:23, any person under the age of 21
8 years who has in his or her possession any liquor or alcoholic beverage, or who is intoxicated by
9 consumption of an alcoholic beverage, shall be guilty of a violation and shall be fined a minimum of
10 \$300. Any second and subsequent offense shall be fined at least \$600. For purposes of this section,
11 alcohol concentration as defined in RSA 259:3-b of .02 or more shall be prima facie evidence of
12 intoxication. No portion of this mandatory minimum fine shall be waived, continued for sentencing,
13 or suspended by the court. In addition to the penalties provided in this section, the court may, in its
14 discretion, impose further penalties authorized by RSA 263:56-b.

15 3 Prohibited Sales; Exception. Amend RSA 179:5 to read as follows:

16 179:5 Prohibited Sales.

17 I. No licensee, salesperson, direct shipper, common carrier, delivery agent, nor any other
18 person, shall sell or give away or cause or allow or procure to be sold, delivered, or given away any
19 liquor or beverage to a person under the age of 21, ***except as permitted under RSA 179:10-b***, or
20 serve an individual who is visibly intoxicated or who a reasonable and prudent person would know is
21 intoxicated. For all deliveries of packages by common carrier or delivery agent marked "alcoholic
22 beverages" or "alcoholic products," the carrier shall obtain an adult signature.

23 II. ***Notwithstanding RSA 179:10-b***, no licensee, manager, or person in charge of a licensed
24 premises shall allow or permit any individual, who is under the age of 21, to possess or consume any
25 liquor or beverage on the licensed premises.

26 4 Effective Date. This act shall take effect 60 days after its passage.