

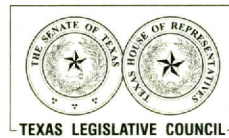
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Restrictions on Sunday Off-Premises Liquor Sales in Non-Control States

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Explanation of Map and Table

This map and table provide information regarding state restrictions on Sunday sales of liquor for off-premises consumption in certain states. The map provides a visual representation of the information described in the table, which includes a description of the states' laws or rules addressing Sunday off-premises liquor sales and a hyperlinked citation of the relevant provision.

The table excludes the 18 control states, states that function as the sole wholesaler or retailer of some or all categories of alcoholic beverages¹ rather than regulate the wholesaling or retailing of alcoholic beverages by private enterprises. For each of the 32 non-control states, the table provides a description of the laws that address the Sunday sales of liquor² in unbroken original containers for off-premises consumption, sometimes known as package sales. If the state does not distinguish Sunday from any other day of the week in establishing statewide liquor sales restrictions, the general hours of sale are noted in the table. The table does not address Sunday restrictions that apply only to the sale of beer or wine, and it classifies a state as prohibiting Sunday sales even if the state has an exception for retailers that sell only beer or wine.

Six states (Indiana, Minnesota, Oklahoma, South Carolina, Tennessee, and Texas) prohibit an off-premises retailer from selling liquor on Sunday. Seven states (Arkansas, Georgia, Illinois, Kansas, Kentucky, Nebraska, and South Dakota) prohibit an off-premises retailer from selling liquor on Sunday but grant local governing bodies the authority to permit Sunday liquor sales as an exception to the state ban. Of those states, Arkansas, Georgia, Kansas, and Nebraska establish reduced Sunday sales hours.

Four states (Delaware, Missouri, New Mexico, and North Dakota) establish Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week and also require an off-premises retailer to obtain a special Sunday license or permit before selling liquor on Sunday. Delaware authorizes municipalities with a population of 50,000 or more to further restrict those Sunday hours of sale. Four states (Connecticut, Massachusetts, New York, and Rhode Island) establish Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week but do not have any other statewide Sunday sales restrictions. Massachusetts authorizes a municipality to prohibit Sunday liquor sales altogether.

Eleven states (Alaska, Arizona, California, Colorado, Florida, Hawaii, Louisiana, Nevada, New Jersey, Washington, and Wisconsin) do not distinguish between Sunday and any other day of the week when setting permissible hours of sale, if applicable, and have no other statewide restrictions on Sunday sales. However, certain of these states grant local governing bodies the authority to enact stricter restrictions. Louisiana grants parishes and municipalities the authority to regulate the business of retailing alcoholic beverages. In a recent Louisiana Supreme Court case,³ the court determined that such authority includes the power to disallow Sunday alcohol sales. New Jersey authorizes local governing bodies to prohibit or restrict the retail sale of liquor on Sunday. Alaska, Washington, and Wisconsin grant local governing bodies the general authority to reduce the permissible hours of alcohol sales. Florida grants counties and municipalities the authority to change the permissible hours of alcohol sales, which may result in local restrictions regarding Sunday sales. Hawaii does not set the days and hours of alcohol sales in statute, but county liquor commissions are given the authority to control the days and hours of alcohol sales.

Sunday Off-Premises Liquor Sales



Sunday Liquor Sales (No. of States)

- Alcoholic Beverage Control States (18)
- Statewide prohibition (6)
- Statewide prohibition but with local option to allow sales (7)
- Reduced sales hours and require a license or permit (4)
- Reduced sales hours but no other statewide restrictions (4)
- No statewide sales restrictions (10)
- No statewide sales restrictions, but municipality authorized to prohibit sales (1)

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Source: State statutes relating to off-premises liquor sales

Restrictions on Sunday Off-Premises Liquor Sales in Statutes or Rules of Non-Control States

State ¹	Statutes or Rules on Sunday Liquor Sales Restrictions ⁴
Alaska	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 8 a.m. to 5 a.m. A municipality may adopt ordinances that provide for additional hours of closure. <u>Alaska Statutes 04.16.010</u>
Arizona	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 6 a.m. to 2 a.m. <u>Arizona Revised Statutes 4-244, Para. 15</u>
Arkansas	Authorizes Sunday sales between the reduced hours of 10 a.m. and 12 midnight, or within a lesser period within those hours, if such sales are authorized by voters at an election held by the city or county. Otherwise, Sunday sales are prohibited. <u>Arkansas Code Secs. 3-3-210 (a)(1) and (b)⁵</u>
California	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 6 a.m. to 2 a.m. <u>California Business and Professions Code, Sec. 25631</u>
Colorado	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 8 a.m. to 12 midnight. Sec. <u>12-47-901(5)(b)(II), Colorado Revised Statutes⁵</u>
Connecticut	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales between the reduced hours of 10 a.m. and 5 p.m. ⁶ <u>H.B. 5021, 2012 Gen. Assemb., Reg. Sess. (Ct. 2012); Sec. 30-91(d), Connecticut General Statutes</u>
Delaware	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales between the reduced hours of 12 noon and 8 p.m. if the retailer pays an extra fee for the issuance of a Sunday sales license. Any municipality with a population of 50,000 or more may limit sales within the boundaries of the municipality to a maximum of four hours as established by ordinance of the municipality. <u>4 Delaware Code, Sec. 709</u>
Florida	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 7 a.m. to 12 midnight, except as otherwise provided by county or municipal ordinance. <u>Sec. 562.14, Florida Statutes</u>

Restrictions on Sunday Off-Premises Liquor Sales in Statutes or Rules of Non-Control States

State ¹	Statutes or Rules on Sunday Liquor Sales Restrictions ⁴
Georgia	Authorizes Sunday sales between the reduced hours of 12:30 p.m. and 11:30 p.m. if such sales are approved by a referendum held by the county or municipality. Otherwise, Sunday sales are prohibited. <u>Secs. 3-3-20(a) and 3-3-7(q), Official Code of Georgia</u> ⁵
Hawaii	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. County liquor commissions have the sole jurisdiction, power, authority, and discretion to set the hours of sale. <u>Sec. 281-17 (a)(8), Hawaii Revised Statutes</u>
Illinois	Authorizes Sunday sales if such sales are authorized by general ordinance or resolution of the city council, president, and board of trustees or county board. Otherwise, Sunday sales are prohibited. The city council, president, and board of trustees or county board may further restrict the permissible hours for Sunday sales. <u>235 Illinois Compiled Statutes 5/6-14</u>
Indiana	Prohibits Sunday sales. <u>Indiana Code 7.1-3-1-14</u>
Kansas	Authorizes Sunday sales between the reduced hours of 12 noon and 8 p.m. if the county or city adopts a resolution or ordinance, as applicable, that authorizes such sales. Otherwise, Sunday sales are prohibited. <u>Kansas Statutes 41-712; Kansas Statutes 41-2911</u>
Kentucky	Authorizes Sunday sales if the legislative body of a city of the first, second, third, or fourth class or an urban-county government, or the fiscal court of a county containing a city of the first, second, third, or fourth class, has established that liquor may be sold within its jurisdictional boundaries on Sunday. Otherwise, Sunday sales are prohibited. <u>Kentucky Revised Statutes 244.290 (3)</u>
Louisiana	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. The various subdivisions of the state have the authority to regulate the business of retailing alcoholic beverages. ³ <u>Louisiana Revised Statutes 26:493; Louisiana Revised Statutes 51:191</u>
Massachusetts	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes sales after 12 noon on Sunday unless the municipality prohibits such sales by vote of the city council or board of selectmen. <u>Sec. 6 (52), Chapter 136, Massachusetts General Laws</u>

Restrictions on Sunday Off-Premises Liquor Sales in Statutes or Rules of Non-Control States

State ¹	Statutes or Rules on Sunday Liquor Sales Restrictions ⁴
Minnesota	Prohibits Sunday sales. <u>Minnesota Statutes, Sec. 340A.504, Subdiv. 4</u>
Missouri	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales between the reduced hours of 9 a.m. and 12 midnight if the retailer is granted a special Sunday license by the supervisor of alcohol and tobacco control. Otherwise, Sunday sales are prohibited. Additional license fees apply. <u>Sec. 311.290, Revised Statutes of Missouri; Sec. 311.293, Revised Statutes of Missouri</u>
Nebraska	Authorizes Sunday sales after 12 noon if such sales are authorized by ordinance of a local governing body or by resolution of a county board. Otherwise, Sunday sales are prohibited. <u>Sec. 53-179, Nebraska Revised Statutes</u>
Nevada	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. State law does not address hours of sale. <u>Nevada Revised Statutes, Chapter 369</u>
New Jersey	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions, but authorizes the governing board or body of a municipality to adopt ordinances or resolutions that prohibit Sunday sales or that limit the hours between which sales may be made. A majority of voters at a municipal referendum may vote to prohibit or allow Sunday sales within the municipality, and the result of the referendum controls over any municipal ordinance, resolution, or regulation inconsistent with the result. General hours of sale are 9 a.m. to 10 p.m., except that cities of the first class may establish separate hours of sale. <u>Secs. 33:1-40 and 33:1-47, New Jersey Statutes; New Jersey Administrative Code Sec. 13:2-38.1⁵</u>
New Mexico	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales between the reduced hours of 12 noon and 12 midnight if the retailer pays an additional fee to obtain a special Sunday sales permit. If a majority of the voters in a local option district election vote not to allow Sunday package sales, such sales are prohibited. <u>Sec. 60-7A-1, Subsecs. H and I, New Mexico Statutes</u>
New York	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales between the reduced hours of 12 noon and 9 p.m. <u>New York Alcoholic Beverage Control Law, Sec. 105, Subdiv. 14</u>

Restrictions on Sunday Off-Premises Liquor Sales in Statutes or Rules of Non-Control States

State ¹	Statutes or Rules on Sunday Liquor Sales Restrictions ⁴
North Dakota	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales after 12 noon if the retailer obtains a Sunday alcoholic beverage permit issued by the local governing body. <u>Secs. 5-02-05 and 5-02-05.1, North Dakota Century Code</u>
Oklahoma	Prohibits Sunday sales. <u>Oklahoma Statutes Sec. 37-537, Subsec. C, Para. 3</u>
Rhode Island	Restricts Sunday sales by establishing Sunday hours of sale that are reduced from the permitted hours of sale established for other days of the week. Authorizes Sunday sales between the reduced hours of 12 noon and 6 p.m. <u>Sec. 3-8-1, Rhode Island General Laws</u>
South Carolina	Prohibits Sunday sales. <u>Sec. 61-6-4160, South Carolina Code of Laws</u>
South Dakota	Authorizes Sunday sales if the municipality or county adopts an ordinance that allows such sales. Otherwise, Sunday sales are prohibited. <u>Sec. 35-4-81, South Dakota Codified Laws</u>
Tennessee	Prohibits Sunday sales. <u>Sec. 57-3-406(e), Tennessee Code⁵</u>
Texas	Prohibits Sunday sales. <u>Sec. 105.01, Texas Alcoholic Beverage Code</u>
Washington	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 6 a.m. to 2 a.m. A local government subdivision may fix later opening hours or earlier closing hours, so long as the hours apply to all licensed premises in the local government subdivision's jurisdiction. <u>Washington Administrative Code Sec. 314-11-070</u>
Wisconsin	Does not distinguish between Sunday and any other day of the week when establishing statewide liquor sales restrictions. General hours of sale are 6 a.m. to 9 p.m. A municipality may, by ordinance, impose more restrictive hours. <u>Sec. 125.68 (4)(b), Wisconsin Statutes</u>

Notes

¹ As control states, Alabama, Idaho, Iowa, Maine, Michigan, Mississippi, Montana, New Hampshire, North Carolina, Ohio, Oregon, Pennsylvania, Utah, Vermont, Virginia, West Virginia, and Wyoming are excluded. Maryland is excluded because certain counties in Maryland control the wholesaling or retailing of some or all categories of alcoholic beverages.

² Texas law defines "liquor" as any alcoholic beverage containing alcohol in excess of four percent by weight; however, the definition of "liquor" varies by state.

³ In Silver Dollar Liquor, Inc. v. Red River Parish Police Jury, 2010-C-2776 (La. 09/07/11); 74 So. 3d 641, the Louisiana Supreme Court found that the power to regulate the sale of alcohol established by Louisiana Revised Statutes 26:493 includes the power to disallow Sunday alcohol sales.

⁴ In the table, "sales" refers to the sale of liquor in sealed, unopened containers for off-premises consumption. Statutes that apply only to the Sunday sales of beer or wine are not included.

⁵ A direct link to the applicable statute or rule is not available for states that provide public access to statutes or rules through a platform maintained by LexisNexis. In these cases, a link to the state's LexisNexis home page is provided, and the statute can be found by accepting the terms of use and browsing the table of contents.

⁶ H.B. 5021, 2012 Gen. Assemb., Reg. Sess. (Ct. 2012), amending Sec. 30-91(d), Connecticut General Statutes, removes the prohibition on Sunday liquor sales and instead authorizes Sunday sales between the reduced hours of 10 a.m. and 5 p.m. The act was signed by the governor of Connecticut on May 14, 2012, and the provisions relating to Sunday liquor sales took effect immediately.

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