

# State Happy Hour Restrictions

Exhibit A

State	Banned?	Restricted?	Details	Citation	Text
Alabama	No	Yes	May not reduce price between 9 PM & 10 AM	Ala. Admin. Code r. 20-X-6-.13	<p>(1) It shall be unlawful for any ABC Board licensee to: (a) Serve multiple drinks for a single price. (b) Establish a single retail price based upon the required purchase of two or more drinks. (c) Sell or otherwise furnish drinks before 10 a.m. or after 9 p.m. at a price which is reduced from the usual customary or established retail price charged for such drinks. (2) Nothing herein contained shall be construed to prohibit the dispensing of drinks customarily sold in pitchers, provided such pitchers shall be available at all times the licensee is open for business. The usual, customary or established retail price thereof shall not be reduced before 10 a.m. or after 9 p.m. (3) The term "drink" or "drinks" is defined herein to mean any beverage containing any quantity of alcohol. "Multiple drinks" is defined to mean two or more drinks containing any quantity of alcohol or a single container which contains more than the normal quantity of alcohol for an individual drink in accordance with ABC Board Regulation 20-X-6-.04(2). The term "pitcher" is defined to mean any receptacle containing a minimum of sixty (60) fluid ounces of beverages. (4) This regulation shall not apply to legitimate, prearranged private parties, functions, or events where guests thereof are served in a room or rooms so designated and used exclusively therefor.</p>
Alaska	Yes	n/a		Alaska Stat. § 04.16.015	<p>(a) On premises where alcoholic beverages are sold by the drink, a licensee or a licensee's agent or employee may not (1) offer or deliver, as a marketing device to the general public, free alcoholic beverages to a patron; (2) deliver an alcoholic beverage to a person already possessing two or more; (3) sell, offer to sell, or deliver alcoholic beverages to a person or group of persons at a price less than the price regularly charged for the beverages during the same calendar week, except at private functions not open to the general public; (4) sell, offer to sell, or deliver an unlimited number of alcoholic beverages to a person or group of persons during a set period of time for a fixed price; (5) sell, offer to sell, or deliver alcoholic beverages to a person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the general public; (6) encourage or permit an organized game or contest on the licensed premises that involves drinking alcoholic beverages or the awarding of alcoholic beverages as prizes. (b) A licensee or a licensee's agent or employee may not advertise or promote in any way, either on or off the premises, a practice prohibited under (a) of this section. (c) This section may not be construed as prohibiting a licensee or a licensee's agent or employee from offering free food or entertainment at any time, from serving wine by the bottle or carafe or beer by the pitcher with or without meals, or from including an alcoholic beverage as part of a meal package. (d) Notwithstanding (a) and (b) of this section, a licensee or a licensee's agent or employee when acting as a caterer may offer or deliver free alcoholic beverages to a political, charitable, or educational group or organization.</p>

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Arizona	No	Yes	Unlimited drinks prohibited, nothing about reducing price	A.R.S. § 4-244	23. For an on-sale retailer or employee to conduct drinking contests, to sell or deliver to a person an unlimited number of spirituous liquor beverages during any set period of time for a fixed price, to deliver more than forty ounces of beer, one liter of wine or four ounces of distilled spirits in any spirituous liquor drink to one person at one time for that person's consumption or to advertise any practice prohibited by this paragraph. The provisions of this paragraph do not prohibit an on-sale retailer or employee from selling and delivering an opened, original container of distilled spirits if: (a) Service or pouring of the spirituous liquor is provided by an employee of the on-sale retailer. (b) The employee of the on-sale retailer monitors consumption to ensure compliance with this paragraph. Locking devices may be used, but are not required.
Arkansas	No	Yes	Unlimited & two-for-one drinks prohibited, nothing about smaller price reduction	006 02 CARR 001	SUBTITLE G...Section 1.79 Prohibited Activities; Grounds for Cancellation, Suspension, Revocation, or Placing of Monetary Fine Against Any Permit. In addition to the violation or failure to comply with any of these Regulations or any alcoholic beverage control law of the State of Arkansas, any permit issued pursuant to any alcoholic beverage control law of the State of Arkansas may be cancelled, suspended, revoked, or assessed a monetary fine for any of the following prohibited activities committed by the permittee or any employee, agent or servant of the permittee:...(28) Advertising, Selling or Dispensing Alcoholic Beverages on a Two or More for the Price of One Basis. The permittee advertised, sold, dispensed, or served any alcoholic beverages for on premises consumption on the basis of two or more drinks for the price of one. Further, the permittee advertised, sold, dispensed, or served alcoholic beverages without a limit to any person on the basis of a flat fee or cover charge. Further, distilled spirits may not be sold by the bottle to patrons for self pouring at on premises consumption permitted outlets. Provided, a fee charged for wine tastings, where such tastings are served in containers of two (2) ounces or less and each patron is limited to a maximum of four (4) servings per charge, shall not be deemed in violation of this Regulation; (Amended 8-17-05)
California	No	No			
Colorado	No	No			
Connecticut	No	Yes	Unlimited drinks prohibited, nothing about reducing price	Regs., Conn. State Agencies, 30-6-A24B	(b) Restrictions. No permittee, backer, or employee or agent of same, at any on-premises consumption place of business, shall: (1) sell, offer, or deliver more than one drink to any one person for his/her own consumption at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed; (2) sell, offer or deliver drinks by the pitcher or other vessel containing more than one drink except to two or more persons, excluding minors as defined by the Liquor Control Act, at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed; (3) sell, offer or deliver to any person an unlimited number of drinks during any set period of time for a fixed price; (4) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes. (c) Private Functions and Hotel Guest Bars. The provisions of this section shall not apply to private functions held in a room or rooms at any on-premises consumption place of business or to hotel guest bars. (d) Nothing in this section shall be construed as an exception to any other provision of the Liquor Control Act or Regulations of Connecticut State Agencies, especially those respecting hours and days of sale, the sale of alcoholic liquor to minors or intoxicated persons.

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Delaware	Yes	n/a		CDR 4-002	IV. Prohibited Practices. A. Retail Licensees 1. On-Premise License No establishment licensed to sell alcoholic beverages for consumption on the premises where sold shall engage in any trade practice which can reasonably be expected to cause, encourage, or induce a consumer to purchase, receive, or consume alcoholic beverages in excessive amounts or at an unduly rapid rate and shall include, but not be limited to, the following: a. Giving alcoholic beverages in any form, either directly or indirectly, to any individual, organization, group or other entity. b. Giving any form of cash (medium of exchange), either directly or indirectly, to any individual, organization, group, or other entity, except for bona fide contributions to not for profit entities and provided that such contribution is in no way conditional upon the purchase and/or consumption of alcoholic beverages. c. Selling alcoholic beverages at a price which is less than the seller's cost. d. Promoting, sponsoring, conducting, or participating in any event that is in any way conditional upon or involves consumption of alcoholic beverages. e. Offering or selling two (2) or more drinks for the regular price of one. f. Extending credit except as provided in Rule 56. g. Unlimited consumption of alcoholic beverages for a set price. However, caterers, as defined in 4 Del. C., § 101 (8), and private functions in which the host/hostess pays a set price and which are conducted by invitation on a licensed premises are excluded from this prohibition. h. Delivering alcoholic beverages to any person who is or who appears to be intoxicated. i. Soliciting or receiving any items which an importer licensee is prohibited under Section IV-B-1-a or IV-B-1-b from giving to a retailer. j. Open bars are generally not permitted pursuant to the provisions of IV-A-1-g above; however, the Commissioner may grant a variance to this section provided that the licensee meets the criteria that follows...
District of Columbia	No	No			
Florida	No	No			
Georgia	No	No			
Hawaii	Yes	n/a		HRS § 281-78.5	(a) No person licensed to sell liquor for consumption on the premises shall engage in practices which promote excessive consumption of liquor. (b) The liquor commission shall adopt rules pursuant to chapter 91 to prohibit specific liquor promotion practices which promote excessive consumption of liquor. (c) Any person who violates this section or any rule adopted by the commission pursuant to this chapter shall be guilty of a violation for each separate offense. Each date of violation shall constitute a separate offense.
Idaho	No	No			

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Illinois	Yes	n/a		235 ILCS 5/6-28	the prices charged for all drinks of alcoholic liquor to be served and consumed on the licensed premises or in any room or part thereof. Whenever a hotel or multi-use establishment which holds a valid retailer's license operates on its premises more than one establishment at which drinks of alcoholic liquor are sold at retail, the hotel or multi-use establishment shall maintain at each such establishment a separate schedule of the prices charged for such drinks at that establishment. (b) No retail licensee or employee or agent of such licensee shall: (1) serve 2 or more drinks of alcoholic liquor at one time to one person for consumption by that one person, except conducting product sampling pursuant to Section 6-31 or selling or delivering wine by the bottle or carafe; (2) sell, offer to sell or serve to any person an unlimited number of drinks of alcoholic liquor during any set period of time for a fixed price, except at private functions not open to the general public; (3) sell, offer to sell or serve any drink of alcoholic liquor to any person on any one date at a reduced price other than that charged other purchasers of drinks on that day where such reduced price is a promotion to encourage consumption of alcoholic liquor, except as authorized in paragraph (7) of subsection (c); (4) increase the volume of alcoholic liquor contained in a drink, or the size of a drink of alcoholic liquor, without increasing proportionately the price regularly charged for the drink on that day; (5) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or the awarding of drinks of alcoholic liquor as prizes for such game or contest on the licensed premises; or (6) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under paragraphs (1) through (5). (c) Nothing in subsection (b) shall be construed to prohibit a licensee from: (1) offering free food or entertainment at any time; (2) including drinks of alcoholic liquor as part of a meal package; (3) including drinks of alcoholic liquor as part of a hotel package; (4) negotiating drinks of alcoholic liquor as part of a contract between a hotel or multi-use establishment and another group for the holding of any function, meeting,
Indiana	Yes	n/a		Burns Ind. Code Ann. § 7.1-5-10-20	(a) It is unlawful for a holder of a retailer's permit to do any of the following: (1) Sell alcoholic beverages during a portion of the day at a price that is reduced from the usual, customary, or established price that the permittee charges during the remainder of that day. (2) Furnish two (2) or more servings of an alcoholic beverage upon the placing of an order for one (1) serving to one (1) person for that person's personal consumption. (3) Charge a single price for the required purchase of two (2) or more servings of an alcoholic beverage. (b) Subsection (a) applies to private clubs but does not apply to private functions that are not open to the public. (c) Notwithstanding subsection (a)(1), it is lawful for a holder of a retailer's permit to sell alcoholic beverages during a portion of the day at a price that is increased from the usual, customary, or established price that the permittee charges during the remainder of that day as long as the price increase is charged when the permittee provides paid live entertainment not incidental to the services customarily provided. (d) Notwithstanding subsection (a), section 12 [IC 7.1-5-10-12] of this chapter, and IC 7.1-5-5-7, it is lawful for a hotel, in an area of the hotel in which alcoholic beverages are not sold, to make available to its registered guests and their guests alcoholic beverages at no additional charge beyond what is to be paid by the registered guests as the room rate.
Iowa	No	No			

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Kansas	No	Yes	Unlimited drinks prohibited, drinks for less than cost prohibited, nothing about reducing price less than that	<b>K.S.A. § 41-2640; see also K.S.A. § 41-2722</b>	(a) No club, drinking establishment, caterer or holder of a temporary permit, nor any person acting as an employee or agent thereof, shall: (1) Offer or serve any free cereal malt beverage or alcoholic liquor in any form to any person; (2) offer or serve to any person an individual drink at a price that is less than the acquisition cost of the individual drink to the licensee or permit holder; (3) sell, offer to sell or serve to any person an unlimited number of individual drinks during any set period of time for a fixed price, except at private functions not open to the general public or to the general membership of a club; (4) encourage or permit, on the licensed premises, any game or contest which involves drinking alcoholic liquor or cereal malt beverage or the awarding of individual drinks as prizes; or (5) advertise or promote in any way, whether on or off the licensed premises, any of the practices prohibited under subsections (a)(1) through (4).
Kentucky	No	No			
Louisiana	No	Yes	"All you can drink" only prohibited after 10 PM	<b>La. R.S. 26:90; see also La. R.S. 26:286(A)(15)</b>	A. No person holding a retail dealer's permit and no agent, associate, employee, representative, or servant of any such person shall do or permit any of the following acts to be done on or about the licensed premises: (15) Sell or serve any alcoholic beverages at a price fixed on an "all you can drink" basis after the hour of 10:00 p.m.
Maine	Yes	n/a		<b>28-A M.R.S. § 709</b>	1. CERTAIN PRACTICES PROHIBITED. The following practices are prohibited. A. No licensee or employee or agent of a licensee may: 1) Offer or deliver any free liquor to any person or group of persons; 2) Deliver more than 2 drinks containing spirits, a carafe containing more than one liter or 33.8 ounces of wine, or any serving or pitcher containing more than one liter or 33.8 ounces of malt liquor, to one person at one time; 3) Sell, offer to sell or deliver to any person or group of persons an unlimited number of drinks for a fixed price, except at private functions not open to the public; 4) Encourage or permit, on the licensed premises, any game or contest that involves drinking or the awarding of drinks as prizes; or 5) Any other practice the specific purpose of which is to encourage customers of the licensee to drink to excess; and B. No licensee may advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under paragraph A. 2. EXCEPTIONS. Subsection 1 does not prohibit the following practices: A. Licensees offering free food or entertainment either with or without the purchase of one drink; B. Licensees increasing the prices for drinks when entertainment is provided; C. Licensees including a drink as part of a meal package; D. The sale or delivery of wine, malt liquor or mixed drinks by the bottle, carafe or pitcher when sold with meals or to more than one person; E. Those licensed under sections 1052-B or 1052-C offering free samples or tastings; F. Those licensed as bona fide hotels offering room services to registered guests; G. Licensees offering reduced prices for prearranged private parties on the premises of the licensee; H. Licensees whose licensed premises include more than one room charging different prices for the same drink served in the different rooms; I. Conducting taste testing under section 460, 1051, 1205, 1207 or 1355-A; J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; or K. Donations authorized under section 708-B.
Maryland	No	No			

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Massachusetts	Yes	n/a		<b>204 CMR 4.03</b>	(1) No licensee or employee or agent of a licensee shall: (a) offer or deliver any free drinks to any person or group of persons; (b) deliver more than two drinks to one person at one time; (c) sell, offer to sell or deliver to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public; (d) sell, offer to sell or deliver to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public; (e) sell, offer to sell or deliver drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public; (f) sell, offer to sell or deliver malt beverages or mixed drinks by the pitcher except to two or more persons at any one time; (g) increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week; (h) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes. (2) No licensee shall advertise or promote in any way, whether within or without the licensed premises, any of the practices prohibited under 204 CMR 4.03.
Michigan	No	Yes	Unlimited drinks prohibited, nothing about reducing price	<b>MICH. ADMIN. CODE R 436.1438</b>	Rule 38. (1) An on-premises licensee shall not sell, offer to sell, or advertise the sale of, an unlimited quantity of alcoholic liquor at a specific price. (2) No licensee shall sell, offer to sell, or advertise the sale of, 2 or more identical drinks containing alcoholic liquor to a person for that person's consumption for 1 price. When 2 or more identical drinks containing alcoholic liquor are served to a person at 1 time, the price charged for the second and each additional identical drink shall be the same as the price charged for the first drink.
Minnesota	No	No			
Mississippi	No	No			
Missouri	No	No			
Montana	No	No			
Nebraska	No	Yes	Unlimited drinks prohibited, nothing about reducing price	<b>Nebraska Admin. Code Title 237, Ch. 6</b>	019.01U MULTIPLE DRINKS 019.01U1 No licensee shall sell, or serve for on-premises consumption, an unlimited quantity of beer, wine, or spirits at a specific price. 019.01U2 No licensee shall sell or serve two or more drinks containing beer, wine, or spirits to a person for that person's consumption on the licensed premises for one price. A pitcher shall not be considered a drink, however, no licensee shall sell two or more pitchers for one price. 019.01U3 Nothing in this rule shall limit, or in any way restrict, the price which may be charged by any licensee for a single drink containing beer, wine, or spirits to be consumed on the licensed premises.
Nevada	No	No			

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
New Hampshire	No	Yes	No free drinks	NH RSA 179:44	I. No licensee shall give away free drinks to customers, patrons, members or guests, in any manner. II. Notwithstanding the above, beverage manufacturers, beverage vendors, brew pubs, wholesale distributors and their liquor or wine vendors, their liquor and wine representatives, domestic wine manufacturers, and on-premises and off-premises licensees may conduct beverage, liquor, or wine tasting, as applicable, on licensed premises. Liquor, beverage, or wine tasting shall be conducted only during such hours as are authorized by the commission for the sale of the product on the premises. III. Liquor, beverage, or wine samples shall be consumed on the premises, and, except for wine samples provided by wine manufacturers, liquor or wine for this purpose shall be purchased from the commission under conditions prescribed by this title. Beverage samples for a tasting shall only be obtained as prescribed by this title.
New Jersey	No	Yes	Unlimited drinks prohibited (except for New Year's Eve), nothing about reduced price	N.J.A.C. 13:2-23.16	with N.J.A.C. 13:2-37, and promotions permitted in this section, no licensee, permittee or brand registrant shall, directly or indirectly, allow, permit or suffer any practice or promotion that: 1. Offers unlimited availability of any alcoholic beverage for consumption on a licensed premises, for a set price, except for: i. Private parties, not sponsored by the licensee, such as wedding and birthday parties, and events held by social affair permittees; or ii. New Year's Eve parties sponsored by a licensee where a set price for attendance includes an open bar; 2. Offers to a patron or consumer a free drink, gift, prize or anything of value, conditioned upon the purchase of an alcoholic beverage or product, except for: i. Branded or unique glassware or souvenirs in connection with a single purchase; ii. Consumer mail-in rebates offered in accordance with N.J.A.C. 13:2-24.11; iii. Manufacturer's sweepstakes and contests, not prohibited by law, where entry or opportunity to win is open to the public without a requirement that a purchase be made; iv. Discounts offered by retailers to consumers on the purchase of alcoholic beverages for off premises consumption; v. Offers of not more than one free drink per patron, as a gesture of good will, in a 24 hour period, by an on-premise consumption licensee; vi. Offers of not more than one free drink coupon, ticket, or token redeemable by a patron, once in a 24 hour period; vii. Offers of a set price for a meal that includes a single alcoholic beverage drink; or viii. Offers of a single bottle of wine or champagne to guests staying at a licensed hotel or motel, as part of a specialty package, provided that the primary guests are of legal drinking age; 3. Requires or allows a consumer to prepurchase more than one drink or product at a time via tickets, tokens, admission fees, or the like, as a condition for entry into a licensed premises or as a requirement for service or entertainment thereon; 4. Offers any prize, gift or award which consists of alcoholic beverages or coupons or gift certificates which may be redeemed for alcoholic beverages, such as two for one, and the like, except for a prize consisting of alcoholic beverages in sealed containers offered in a raffle licensed pursuant to N.J.S.A. 5:8-50. A coupon or gift certificate,

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
New Mexico	No	Yes	Unlimited drinks prohibited, more than half price discount prohibited, nothing about smaller discount	<b>15.10.51.11 NMAC</b>	<p>C. The following practices are prohibited on a licensed premises: (1) games or contests that involve drinking alcoholic beverages or the awarding of alcoholic beverage drinks as prizes; (2) the sale or delivery to a person of an unlimited number of alcoholic beverage drinks during any set period of time for a fixed price; (3) the sale or delivery of two or more alcoholic beverage drinks for the price of one; (4) allowing any person to have more than two unconsumed alcoholic beverage drinks at any one time; (5) the sale or delivery of alcoholic beverages by the drink for less than half the usual, customary, or established price for a drink of that type on the licensed premises; (6) the sale or delivery of alcoholic beverages by the drink for less than cost; or (7) the advertising of the practices prohibited by this regulation. D. Nothing contained in this regulation shall prohibit a licensee from: (1) including one alcoholic beverage drink per person as part of a meal package when approved by the director in writing; (2) selling wine by the bottle or carafe, or beer in a pitcher, when sold with a meal; (3) selling wine by the bottle or carafe, or beer in a pitcher, to more than one person; (4) offering free samples or tastes of alcoholic beverages in quantities of 1.5 ounce or less if the product is wine, beer, or a beverage containing alcohol and at least one other ingredient, or .5 ounce or less if the product is undiluted spiritous liquors, when done to promote a product; (5) offering free alcoholic beverage drinks to registered guests in its hotel when approved by the director in writing; or (6) utilizing a "free drink coupon" which is limited to one drink per day per patron or giving a patron a free drink as a gesture of good will or friendship; free drinks as a gesture of good will or friendship may not be advertised and may not be given at any established interval or based on the purchases by the customer; (7) offering to customers product promotions such as sweepstakes, rebates on non-alcoholic beverage items, or goods that are not or do not include alcoholic beverages.</p>

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
New York	No	Yes	Unlimited drinks prohibited, can't attempt to circumvent this section, price reductions (if reasonable) seem permissible	NY CLS Al Bev § 117-a	1. No licensee, acting individually or in conjunction with one or more licensees, shall: (a) offer, sell, serve, or deliver to any person or persons an unlimited number of drinks during any set period of time for a fixed price. (b) allow a person, agent, party organizer, or promoter, as such terms shall be defined by the authority in rule and regulation, to offer, sell, serve, or deliver to any person or persons an unlimited number of drinks during any set period of time for a fixed price. (c) advertise, promote, or charge a price for drinks that in the judgment of the authority creates an offering of alcoholic beverages in violation of the purposes and intent of this section, or which in the judgment of the authority is an attempt to circumvent the intent and purposes of this section, such as, but not limited to, offerings of free drinks, or multiple drinks for free or for the price of a single drink, or for a low initial price followed by a price increment per hour or other period of time, or for such a minor amount that in the judgment of the authority the pricing would constitute an attempt to circumvent the intent and purposes of this section. 2. As used in this section, licensee means and includes the licensee, and any employees, or agents of such licensee. 3. With respect to an individual licensee, this section shall not apply to private functions not opened to the public, such as weddings, banquets, or receptions, or other similar functions, or to a package of food and beverages where the service of alcoholic beverages is incidental to the event or function. 4. The authority shall investigate any documented allegation of a violation of this section upon a complaint by any person. 5. The authority shall promulgate rules and regulations necessary to implement the provisions of this section. 6. The provisions of this section shall not apply to the holder of a temporary permit under subdivision two of section one hundred five-a of this article.
North Carolina	Yes	n/a		4 N.C.A.C. 25.0232	(a) An on-premise permittee or his agent shall not: (1) sell more than one drink to a patron for a single price;(2) establish a single price based upon the required purchase of more than one drink; or (3) deliver more than one drink at one time to a patron for his consumption. This Rule does not prohibit the sale of pitchers of alcoholic beverages to two or more patrons. This Rule also does not prohibit serving a single carafe or bottle of wine to a single patron. (b) An on-premise permittee or his agent shall not give away a drink or sell one at a price that is different from the usual or established price charged for the drink for any period of time less than one full business day. Free or reduced drinks under this provision shall be offered to all customers, not just a segment of the population. (c) For purposes of this Rule, a "drink" contains the amount of alcoholic beverages usually and customarily served to a single patron as a single serving by the permittee. A "drink" may also include two different alcoholic beverages served separately at the same time to a single patron if such "drink" is a customary combination, such as a shot of spirituous liquor with a malt beverage. (d) An on-premise permittee may include alcoholic beverages in a package offering that includes a meal or entertainment. (e) The offer of a meal and alcoholic beverage at a single total price is not a violation of this Rule so long as the total price reflects the actual price of the alcoholic beverages and not a reduced price.
North Dakota	No	No			

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Ohio	No	Yes	Unlimited drinks prohibited, price reductions prohibited after 9 PM	<b>OAC Ann. 4301:1-1-50</b>	<p>(A) No liquor permit holder, and no agent or employee of a liquor permit holder, shall:</p> <p>(1) Offer to sell, furnish, or deliver to any person or group of persons: (a) Two or more servings of an alcoholic beverage upon the placing of an order for an individual serving of an alcoholic beverage; (b) An unlimited number of servings of alcoholic beverages during any set period of time for a fixed price; (c) Any alcoholic beverage after nine p.m. at a price less than the regularly-charged price, as established by the schedule of prices required in paragraph (B) of this rule. (2) Encourage or allow any game or contest that involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as a prize. (3) Increase the volume of alcoholic beverages contained in a serving without increasing proportionately the price charged for such serving. (B) All permit holders authorized to sell for on-premises consumption shall maintain on their permit premises a schedule of prices for all drinks of alcoholic beverages to be sold, furnished, delivered, or consumed thereon. Scheduled prices shall be effective for not less than one calendar month, dating from twelve p.m. on the first day of each month. Prior to nine p.m., permit holders may sell, furnish, deliver, or allow the consumption of any alcoholic beverage at a price less than the regularly-charged price, as established by the aforementioned schedule of prices. Permit holders who do so may designate this time as happy hour periods.</p>
Oklahoma	Yes	n/a		<b>37 Okl. St. § 537</b>	<p>B. No licensee of the ABLE Commission shall: 4. Advertise or offer "happy hours" or any other means or inducements to stimulate the consumption of alcoholic beverages including: a. deliver more than two drinks to one person at one time, b. sell or offer to sell to any person or group of persons any drinks at a price less than the price regularly charged for such drinks during the same calendar week, except at private functions not open to the public, c. sell or offer to sell to any person an unlimited number of drinks during any set period of time for a fixed price, except at private functions not open to the public, d. sell or offer to sell drinks to any person or group of persons on any one day at prices less than those charged the general public on that day, except at private functions not open to the public, e. increase the volume of alcoholic beverages contained in a drink without increasing proportionately the price regularly charged for such drink during the same calendar week, or f. encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.</p>

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Oregon	No	Yes	Unlimited drinks prohibited, price reductions prohibited from midnight - 2:30 AM	<b>Or. Admin. R. 845-006-0345</b>	(10) Promotions. (a) The following practices are prohibited: (A) The sale, offer or service to any person of an unlimited number of alcoholic beverage(s) during any set period of time for a fixed price; (B) The sale, offer or service of alcoholic beverages by the drink for a price per drink that is less than the licensee's cost for the alcohol to any person paying a fixed "buy in" price, entry fee, cover or door charge; (C) Price reductions on alcoholic beverages by the drink from 12:00 midnight until 2:30 a.m. A price reduction is a lower price as compared to the usual, customary, or established non-discounted price the licensee charges for a drink of that type on the licensed premises; (D) The sale, offer or service of distilled spirits by the bottle for consumption on the premises, except as allowed in OAR 845-006-0433 (Minibars in Hotel Guest Rooms) and 845-006-0434 (Minibars in Arena Suites). This subsection does not prohibit a Full On-Premises Public Location Sales Licensee (F-PL) or Full On-Premises Catering Sales Licensee (F-Cat) from charging clients by the bottle for distilled spirits that are served by the drink at hotel suites, banquets, receptions or catered events where the reasonably projected attendance is at least 20 patrons; (E) Operating, encouraging or permitting games of chance or skill, contests, exhibitions, or competitions of any kind on the licensed premises that involve drinking alcoholic beverages, (e.g., beer pong, "21 for 21");
Pennsylvania	No	Yes	Unlimited drinks prohibited, price reductions permitted for two hours per day (but not from midnight to closing time)	<b>40 Pa. Code 13.102</b>	(a) <i>General</i> . Retail licensees may discount the price of alcoholic beverages for a consecutive period of time not to exceed 2 hours in a business day, but may not engage in discount pricing practices between 12 midnight and the legal closing hour. Retail licensees may not engage in the following discount pricing practices unless specifically excepted in subsection (b): (1) The sale or serving, or both, of more than one drink of liquor, wine, or malt or brewed beverages at any one time to any one person, for the price of one drink. (2) The sale or serving, or both, of an increased volume of one drink of liquor, wine, or malt or brewed beverages without a corresponding and proportionate increase in the price for the drink. (3) The sale or serving, or both, of an unlimited or indefinite amount of liquor, wine, or malt or brewed beverages for a set price. (4) The pricing of alcoholic beverages in a manner which permits the price to change within the 2-hour period. (b) <i>Exceptions</i> . Nothing in subsection (a) prohibits: (1) The sale or serving, or both, of an unlimited or indefinite amount of liquor, wine or malt or brewed beverages for a fixed price for catered events which have been arranged at least 24 hours in advance. (2) The offering for sale of one specific type of alcoholic beverage or drink per day or a portion thereof at a reduced price, if the offering does not violate subsection (a). For purposes of this section, a specific type of alcoholic beverage means either a specific registered brand of malt or brewed beverages, a type of wine, a type of distilled spirits or a mixed drink. Examples of permissible drink discounts are found in Board Advisory Notice 16.

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Rhode Island	Yes	n/a		<b>R.I. Gen. Laws § 3-7-26</b>	alcoholic beverages shall: (1) Cause or require any person or persons to buy more than one drink at a time by reducing the price of that drink; (2) Increase the volume of alcohol contained in any alcoholic beverage without proportionately increasing the price; (3) Sell, propose to sell or deliver to any person or persons an unlimited number of drinks during a certain period of time for a fixed price; or (4) Allow or encourage any game or promotion on the premises which involves the drinking of alcoholic beverages or the awarding of alcoholic beverages as prizes for consumption on the premises. (b) (1) No licensee shall advertise or promote in any manner, or in any medium, happy hours, open bars, two-for-one nights and/or free drink specials. (2) Any licensee is prohibited from knowingly allowing the use of its premises as part of an organized pub crawl, so-called. A pub crawl shall be defined as an organized event intended to promote the organized, commercial travel of significantly large groups of individuals between licensed premises for the primary purpose of consuming alcoholic beverages at more than one premise. Evidence of a pub crawl shall include, but not be limited by: (i) The existence of advertising, flyers, tickets or other printed or electronic material promoting or describing a planned pub crawl; (ii) Organized, commercial transportation intended to move a total of fifty (50) or more individuals from one premise to another in an organized fashion; and (iii) Evidence of compensation paid to an organizer by participants in a pub crawl. The department of business regulation is authorized to promulgate rules and regulations consistent with this section. (c) Nothing in this section shall be construed to prohibit a licensee from offering free food or entertainment at any time; or to prohibit licensees from including an alcoholic beverage as part of a meal package; or to prohibit the sale or delivery of wine by the bottle or carafe when sold with meals or to more than one person; or to prohibit free wine tastings. Except as otherwise limited by this section, nothing contained in this section shall limit or may restrict the price which may be charged by any licensee for any size alcoholic beverage to be consumed on the licensed premises.
South Carolina	No	Yes	Unlimited drinks prohibited, price reductions of more than half prohibited, but price reductions permitted from 4 PM to 8 PM	<b>S.C. Code Ann. § 61-4-160; see also 61-6-4550</b>	No person who holds a biennial permit to sell beer or wine for on-premises consumption may advertise, sell, or dispense these beverages for free, at a price less than one-half of the price regularly charged, or on a two or more for the price of one basis. Beer or wine may be sold at a price less than the price regularly charged from four o'clock p.m. until eight o'clock p.m. only. The prohibition against dispensing the beverages for free does not apply to dispensing to a customer on an individual basis, to a fraternal organization in the course of its fund-raising activities, to a person attending a private function on premises for which a biennial permit has been issued, or to a customer attending a function sponsored by the person who holds a biennial permit. However, no more than two functions may be sponsored each year, and must be authorized by the department. A person who violates this section is guilty of a misdemeanor and, upon conviction, must be fined not less than one hundred dollars or imprisoned not less than three months, in the discretion of the court. A person found guilty of a violation of Section 61-6-4550 and this section may not be sentenced under both sections for the same offense.
South Dakota	No	No			
Tennessee	No	Yes	Discounts below cost prohibited	<b>Tenn. Code Ann. 57-4-203</b>	<b>(m) Discounts.</b> Nothing in this chapter shall prohibit a licensee from offering a discount in such manner as the licensee deems appropriate as long as the discount being offered is not below the cost paid by the licensee to purchase the alcoholic beverages from the retailer.

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Texas	No	Yes	Unlimited drinks prohibited, price reductions permitted until 11 PM	<b>16 TAC 45.103</b>	or more open containers of alcoholic beverages at a price less than the number of containers actually sold or served; (2) increase the volume of alcohol contained in a drink without increasing proportionally the price thereof; (3) serve or offer to serve more than one free alcoholic beverage to any identifiable segment of the population during the course of one business day. Licensees and permittees may, however, without prior advertising, give one free alcoholic beverage to individual consumers in celebration of birthdays, anniversaries or similar events; (4) sell, serve, or offer to sell or serve an undetermined quantity of alcoholic beverages for a fixed price or "all you can drink" basis; (5) sell, serve, or offer to sell or serve, alcoholic beverages at a reduced price to those consumers paying a fixed "buy in" price; (6) sell, serve, or offer to sell or serve, alcoholic beverages at a price contingent on the amount of alcoholic beverages consumed by an individual; (7) reduce drink prices after 11:00 p.m.; (8) sell, serve or offer to sell or serve more than two drinks to a single consumer at one time; (9) impose an entry fee, cover or door charge for the purpose of recovering financial losses incurred by the licensee or permittee because of reduced or low drink prices; (10) conduct, sponsor or participate in, or allow any person on the licensed premises to conduct, sponsor or participate in, any game or contest to be determined by the quantity of alcoholic beverages consumed by an individual or group, or where alcoholic beverages or reduced price alcoholic beverages are awarded as prizes; (11) engage in any practice, whether listed in this rule or not, that is reasonably calculated to induce consumers to drink alcoholic beverages to excess, or that would impair the ability of the licensee or permittee to monitor or control the consumption of alcoholic beverages by consumers. (d) The provisions of subsections (c)(1) through (c)(7) do not apply where: (1) the permittee or licensee has entered into an agreement under the terms of which all or a portion of the licensed premises are utilized for a private party or a meeting of a particular organization; or (2) a caterer's or other temporary permit or license is used for a private party or a meeting of a particular organization. (e)
Utah	Yes	n/a		<b>Utah Code Ann. § 32B-5-305</b>	(1) (a) A retail licensee may sell, offer for sale, or furnish liquor only at a price fixed by the commission. (b) A retail licensee may not sell an alcoholic product at a discount price on any date or at any time. (2) (a) A retail licensee may not sell, offer for sale, or furnish an alcoholic product at less than the cost of the alcoholic product to the retail licensee. (b) A retail licensee may not sell, offer for sale, or furnish an alcoholic product at a special or reduced price that encourages over consumption or intoxication. (c) A retail licensee may not sell, offer for sale, or furnish an alcoholic product at a special or reduced price for only certain hours of the retail licensee's business day, such as a "happy hour." (d) A retail licensee may not sell, offer for sale, or furnish more than one alcoholic product for the price of a single alcoholic product. (e) A retail licensee may not sell, offer for sale, or furnish an indefinite or unlimited number of alcoholic products during a set period for a fixed price. (f) A retail licensee may not engage in a promotion involving or offering a free alcoholic product to the general public.

<u>State</u>	<u>Banned?</u>	<u>Restricted?</u>	<u>Details</u>	<u>Citation</u>	<u>Text</u>
Vermont	Yes	n/a		<b>CVR 26-020-001</b>	49. First class or first and third class licensees shall not offer alcohol beverages at reduced prices for any period of time during daily legal hours. This shall not be construed to regulate prices charged for group events to its attendees only, such as banquets, nor to prohibit cover charges or price adjustments during times when live entertainment is presented on the licensed premises, nor to preclude lower alcohol beverage prices for a full day. a. Licensees or their employees shall not offer or permit games, contests, or promotions, which encourage the consumption of alcohol beverages nor shall they furnish alcoholic beverages to anyone for no charge.
Virginia	No	Yes	Unlimited drinks prohibited, two-for-one specials prohibited, reduced prices okay (so long as they're not under cost) when it's not 9 PM to 2 AM	<b>3 VAC 5-50-160</b>	A. Definitions: 1. "Happy Hour." A specified period of time during which alcoholic beverages are sold at prices reduced from the customary price established by a retail licensee. 2. "Drink." Any beverage containing the amount of alcoholic beverages customarily served to a patron as a single serving by a retail licensee. B. No retail licensee shall engage in any of the following practices: 1. Conducting a happy hour between 9 p.m. of each day and 2 a.m. of the following day; 2. Allowing a person to possess more than two drinks at any one time during a happy hour; 3. Increasing the volume of alcoholic beverages contained in a drink without increasing proportionately the customary or established retail price charged for such drink; 4. Selling two or more drinks for one price, such as "two for one" or "three for one"; 5. Selling pitchers of mixed beverages; 6. Giving away drinks; 7. Selling an unlimited number of drinks for one price, such as "all you can drink for \$ 5.00"; 8. Advertising happy hour anywhere other than within the interior of the licensed premises, except that a licensee may use the term "Happy Hour" or "Drink Specials" and the time period within which alcoholic beverages are being sold at reduced prices in any otherwise lawful advertisement; or 9. Establishing a customary retail price for any drink at a markup over cost significantly less than that applied to other beverages of similar type, quality, or volume. C. This regulation shall not apply to prearranged private parties, functions, or events, not open to the public, where the guests thereof are served in a room or rooms designated and used exclusively for private parties, functions or events.
Washington	No	Yes	Unlimited drinks prohibited, two-for-one specials prohibited, nothing prohibiting reduced prices on single drinks	<b>WAC 314-52-110</b>	(2) No retail licensee shall offer for sale any liquor for on premises consumption under advertising slogans where the expressed or implied meaning is that a customer, in order to receive a reduced price, would be required to purchase more than one drink at a time, such as "two for the price of one," "buy one -- get one free," or "two for \$ _____."
West Virginia	No	No			
Wisconsin	No	No			
Wyoming	No	No			