

SB 122-FN - AS INTRODUCED

2015 SESSION

15-0897
03/09

SENATE BILL ***122-FN***

AN ACT relative to requirements for on-premises liquor licenses.

SPONSORS: Sen. Daniels, Dist 11; Rep. Ammon, Hills 40; Rep. Biggie, Hills 23

COMMITTEE: Commerce

ANALYSIS

This bill modifies the definition of full service restaurant applicable to certain on-premises liquor licensees to include an outdoor seating area to which access is restricted.

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 Matter which is either (a) all new or (b) repealed and reenacted appears in regular type.

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STATE OF NEW HAMPSHIRE

In the Year of Our Lord Two Thousand Fifteen

AN ACT relative to requirements for on-premises liquor licenses.

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

1 1 Definitions; Full Service Restaurant. Amend RSA 175:1, XXXIII to read as follows:

2 XXXIII. "Full service restaurant" means:

3 **(a)** A room or rooms capable of seating, at tables with chairs or at booths, at least 20
4 guests at one time. The dining room and kitchen shall be sufficiently staffed. Meals shall be readily
5 available, promoted, and served to the table. The menu shall contain a variety of full course meals
6 and a sandwich menu may be substituted at the noon meal.

7 **(b)** *An outdoor seating area to which access is restricted. Food shall be*
8 *available from the licensee and may be served in the seating area or brought to the seating*
9 *area by the customer.*

10 2 Effective Date. This act shall take effect 60 days after its passage.

SB 122-FN - FISCAL NOTE

AN ACT relative to requirements for on-premises liquor licenses.

FISCAL IMPACT:

The Liquor Commission states this bill, **as introduced**, may increase by \$241,981 in FY 2016, \$178,038 in FY 2017, \$184,874 in FY 2018 and \$192,290 in FY 2019, and will have an indeterminable fiscal impact on state revenue in FY 2016 and each year thereafter. There is no fiscal impact of county and local revenue or expenditures.

METHODOLOGY:

The Liquor Commission states this bill modifies the definition of full service restaurant applicable to certain on-premise liquor licensees to include an outdoor seating area to which access is restricted. The Commission states this bill removes the requirement for on-premise beverage and liquor license holders to meet the minimum dining room seating requirement of 20 seats, and removes the need for the license holders to take orders at and serve meals to patrons seated at those tables. The Commission states the change in definition will eliminate the degree of separation between a full liquor license and a beer and wine only liquor license. The Commission states this bill would allow entities such as, any small neighborhood pizza parlor or dairy bar without a dining room and picnic tables outside that have a beer and wine license to qualify for full liquor license. The Commission states this bill will have an indeterminable fiscal impact on liquor revenue. As a result of the changes contained in this bill, the Commission states it will have an increased workload on the enforcement division that cannot be absorbed with existing resources. The Commission estimates it will need one additional investigator (LG 18), and one additional examiner (LG 20) to manage the increased workload associated with the potential of more on-premise full liquor establishments resulting from this bill. The Commission estimates these costs to be as follows:

	FY 2016	FY 2017	FY 2018	FY 2019
Liquor Examiner II Salary (LG 20, step 1)	\$41,080	\$42,848	\$44,595	\$46,509
Liquor Investigator Salary (LG 18, step 1)	\$45,573	\$47,382	\$49,317	\$51,438
Benefits	\$53,928	\$56,908	\$60,062	\$63,443
Current Expenses	\$7,400	\$7,400	\$7,400	\$7,400
Equipment	\$73,000	\$2,500	\$2,500	\$2,500

Travel	\$10,000	\$10,000	\$10,000	\$10,000
Professional Development Training & Overtime	\$11,000	\$11,000	\$11,000	\$11,000
Total	\$241,981	\$178,038	\$184,874	\$192,290

This bill does not contain an appropriation or authorization for the new positions identified by the Commission.