



2023-2024 General Assembly

SENATE BILL 527: ABC Omnibus 2023-24, Sec. 5: Allow To-Go and Delivery Sales of Mixed Beverages and Wine by the Glass

Committee:
Introduced by:
Analysis of: Sec. 5 of S.L. 2024-41

Date: August 26, 2024
Prepared by: Chris Saunders
Staff Attorney

OVERVIEW: *Section 5 of S.L. 2024-41 allows a restaurant, hotel, private club, bar, brewery, winery, or distillery that holds an on-premises unfortified wine permit, on-premises fortified wine permit, or a mixed beverages permit to sell single-serving unfortified wine drinks, single-serving fortified wine drinks, or mixed beverages, respectively, for consumption off the premises, including delivery by either the mixed beverages permittee or a delivery service permittee. A single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage sold for consumption off the premises must be sold with food, and must be packaged in a container not to exceed 24 fluid ounces, with a secure lid or cap and in a manner designed to prevent consumption without removal of the lid or cap. The transportation of a single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage in a motor vehicle is allowed if the container continues to be sealed. The sale of more than two single-serving unfortified wine drinks or fortified wine drinks or one mixed beverage drink at one time is allowed if the mixed beverage drinks are sold for delivery or consumption off the permittee's premises.*

No single-serving unfortified wine drink or mixed beverage ordered for off premises consumption can be provided to any person other than the purchaser of the beverage, except that in the case of delivery, the delivery service permittee can provide the beverage to a person other than the purchaser if the permittee verifies that the person is over 21 years of age using age verification software requiring the recipient to provide a form of photo ID.

This section became effective July 8, 2024.

BILL ANALYSIS:

Section 5 of S.L. 2024-41 allows a restaurant, hotel, private club, bar, brewery, winery, or distillery that holds an on-premises unfortified wine permit, on-premises fortified wine permit, or a mixed beverages permit to sell single-serving unfortified wine drinks, single-serving fortified wine drinks, or mixed beverages, respectively, for consumption off the premises, including delivery by either the mixed beverages permittee or a delivery service permittee. A single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage sold for consumption off the premises must be sold with food, and must be packaged in a container not to exceed 24 fluid ounces, with a secure lid or cap and in a manner designed to prevent consumption without removal of the lid or cap. The transportation of a single-serving unfortified wine drink, single-serving fortified wine drink, or mixed beverage in a motor vehicle is allowed if the container continues to be sealed. The sale of more than two single-serving unfortified wine drinks or fortified wine drinks or one mixed beverage drink at one time is allowed if the mixed beverage drinks are sold for delivery or consumption off the permittee's premises.

Kara McCraw
Director



Legislative Analysis
Division
919-733-2578

Senate Bill 527

Page 2

No single-serving unfortified wine drink or mixed beverage ordered for off premises consumption can be provided to any person other than the purchaser of the beverage, except that in the case of delivery, the delivery service permittee can provide the beverage to a person other than the purchaser if the permittee verifies that the person is over 21 years of age using age verification software requiring the recipient to provide a form of photo ID.

EFFECTIVE DATE: This section became effective July 8, 2024.

BACKGROUND: The sale of mixed beverages for consumption off the premises and delivery by a delivery services permittee was temporarily allowed during the Coronavirus state of emergency by Executive Orders 183 and 210, from December 21, 2020 to June 1, 2021.