



2023-2024 General Assembly

SENATE BILL 527: ABC Omnibus 2023-24, Sec. 9: Allow ABC Stores to Sell Value-Added Products, Gift Cards, and Barrels

Committee:
Introduced by:
Analysis of: Sec. 9 of S.L. 2024-41

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

OVERVIEW: *Section 9 of S.L. 2024-41 does all of the following:*

- *Allows ABC stores to sell branded consumer specialty items such as bottle or can openers, cork screws, muddlers, ashtrays, shopping bags, individual can coolers, drinking glasses, clothing, or key chains that are packaged with a spirituous liquor product. A branded consumer specialty item does not include a tobacco, vapor, or hemp product or tobacco, vapor, or hemp paraphernalia.*
- *Allows the Commission to approve the retail price for a spirituous liquor product packaged by the producer with one or more branded specialty items at a different price than an individual bottle of the same spirituous liquor product. A local board cannot remove a spirituous liquor product packaged by the producer with one or more branded specialty items from the package.*
- *Allows ABC stores to sell physical or electronic gift cards. Gift cards can be sold online, and electronic gift cards can be delivered digitally to the purchaser. A gift card can be purchased or redeemed only by a customer 21 years of age or older, and can be redeemed at any ABC store operated by the local board from which the gift card was purchased.*
- *Allows an ABC store to sell empty barrels or parts of barrels received from a distiller in which spirituous liquors were aged, provided that the local board also purchased the spirituous liquor aged in the barrel.*

This section became effective July 1, 2024.

PRIOR LAW: Prior to enactment of this section, ABC stores were not allowed to sell anything besides spirituous liquor. Holiday gift packs, such as a bottle of spirituous liquor packaged with a branded shot glass or muddler, must be sold for the same price as the individual bottle of spirituous liquor would be sold without the branded item, so that the ABC store effectively was required to give away the branded item if it sold the holiday gift pack.

BILL ANALYSIS: Section 9 of S.L. 2024-41 does all of the following:

- Allows ABC stores to sell branded consumer specialty items such as bottle or can openers, cork screws, muddlers, ashtrays, shopping bags, individual can coolers, drinking glasses, clothing, or key chains that are packaged with a spirituous liquor product. A branded consumer

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specialty item does not include a tobacco, vapor, or hemp product or tobacco, vapor, or hemp paraphernalia.

- Allows the Commission to approve the retail price for a spirituous liquor product packaged by the producer with one or more branded specialty items at a different price than an individual bottle of the same spirituous liquor product. A local board cannot remove a spirituous liquor product packaged by the producer with one or more branded specialty items from the package.
- Allows ABC stores to sell physical or electronic gift cards. Gift cards can be sold online, and electronic gift cards can be delivered digitally to the purchaser. A gift card can be purchased or redeemed only by a customer 21 years of age or older, and can be redeemed at any ABC store operated by the local board from which the gift card was purchased.
- Allows an ABC store to sell empty barrels or parts of barrels received from a distiller in which spirituous liquors were aged, provided that the local board also purchased the spirituous liquor aged in the barrel.

EFFECTIVE DATE: This section became effective July 1, 2024.