



DELIVERING ALCOHOL TO YOUR DOORSTEP: PUBLIC HEALTH IMPLICATIONS AND LEGAL TRENDS ACROSS THE COUNTRY

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**As required by the Alcohol Policy 19 Conference,
I/we have signed a disclosure statement and note the
following conflict(s) of interest:**

Ryan Treffers, JD – No conflict

Elizabeth Dahl, JD – No conflict



Evidence to Action: Building a Framework for Change
September 14-16, 2022 Arlington, VA

STOP Act Reports

- The STOP Act requires that the HHS Secretary, on behalf of ICCPUD, produce an annual *Report to Congress on the Prevention and Reduction of Underage Drinking*.
- Annual reports have been produced since 2009, and include:
 - National level data on current underage drinking
 - Underage drinking trends over time
 - Factors influencing underage drinking
 - Federal efforts to prevent underage drinking
 - Evaluation of the media campaign for parents and caregivers: “Talk. They Hear You.”

STOP Act Reports

Report to Congress on the Prevention and Reduction of Underage Drinking:

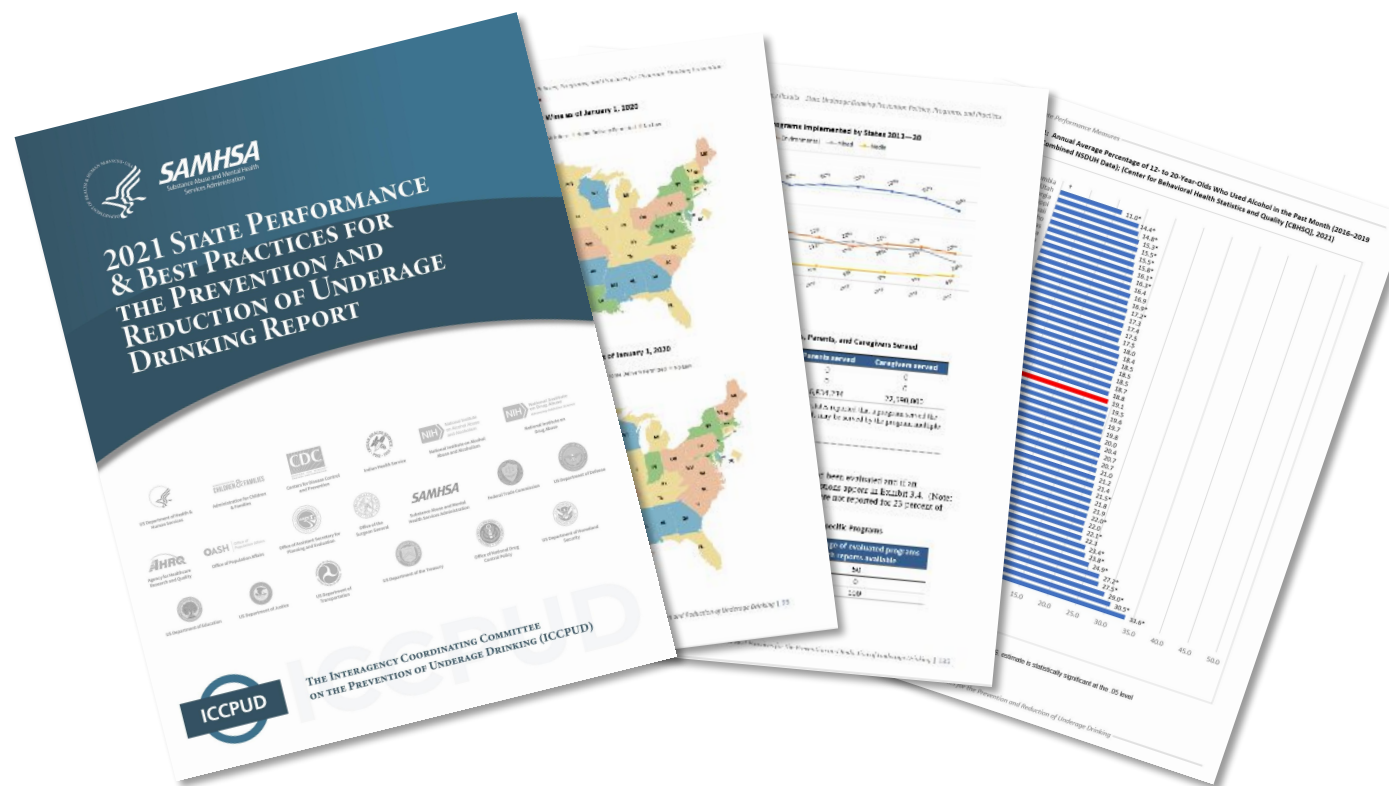


STOP Act Reports

- The STOP Act requires that the HHS Secretary, on behalf of ICCPUD:
 - *...shall develop a set of measures to be used in preparing the report on best practices.”*
- *The State Performance & Best Practices for the Prevention and Reduction of Underage Drinking Report* includes:
 - Best practices and promising approaches in prevention, intervention, treatment, and enforcement
 - States’ performance in implementing evidence-based policies, programs, and practices, including data from the annual STOP Act State Survey
 - States’ performance on nine underage drinking prevention and treatment measures

STOP Act Reports

State Performance & Best Practices for the Prevention and Reduction of Underage Drinking Report :



STOP Act Reports

The STOP Act requires that the HHS Secretary, on behalf of ICCPUD:

- *“...shall issue an annual report on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking...”*

STOP Act Reports

State Reports



Previous STOP Act Delivery Topics

- Home Delivery
- Direct Shipment

Prior to the COVID emergency, it was clear that the alcohol industry was interested in expanding delivery

COVID and Alcohol-related policymaking

Table 1: On-Premises Establishments

Jurisdiction	Open	CAN ON-PREMISES ESTABLISHMENTS ...		
		Offer Take-Out Or Curbside Pick-Up?	Deliver to Consumer's Homes?	Deliver to Consumer's Homes Without Obtaining a Delivery Permit?
AL (Last Updated: 1/1/2022)	<p>All Restaurants and Bars Open</p> <p><u>10/31/2021</u>: COVID-19 state of emergency ended (Governor's Proclamation, October 8, 2021)</p> <p><u>8/13/2021</u>: COVID-19 state of emergency declared for limited purposes such as facilitating health care. (Governor's Proclamation, August 13, 2021)</p> <p><u>7/6/2021</u>: The COVID-19 state of emergency ended. (Governor's Proclamation, July 6, 2021)</p> <p><u>5/31/2021</u>: The COVID-19 public health order ended May 31, 2021. (Press Release May 3, 2021)</p> <p><u>5/24/2021</u>: New vaccine law provides that an entity or individual doing business in this state may not refuse to provide any goods or services, or refuse admission, to a customer based on the customer's immunization status or lack of documentation that the customer has received an immunization. Ala. Code. § 22-11B-5.</p>	<p>NO</p> <p><u>1/4/2021</u>: Suspension expired. (ABC Rule No. 20-X-6-.19 ER)</p> <p><u>12/14/2020</u>: Suspension of requirement that all sales occur inside of a building on the licensed premises, temporarily allowing take-out and to-go orders until 1/4/2021. (AL Regs 20-X-6-.19ER)</p> <p><u>9/15/2020</u>: Emergency rule suspending requirement for all sales to occur inside of a building on the licensed premises expired. (AL Regs 20-X-6-.19ER)</p> <p><u>3/24/2020</u>: Sale of mixed drinks and open containers prohibited; licensee may sell no more than 1 liter of</p>	<p>YES</p> <p><u>10/1/2021</u>: Permitted starting October 1, 2021. (2021 Alabama Laws Act 2021-188)</p> <p>Pre-COVID: Not permitted for restaurants or bars. Ala. Code. §28-3A-13.</p>	<p>NO</p> <p><u>10/1/2021</u>: No. (2021 Alabama Laws Act 2021-188; Ala. Code §28-3A-13.1)</p>

[Click here for Codebook](#)

Click on column headers for coding values

On Premises Establishments - RESTAURANTS									On Premises Establishments - BARS							
			Restrictions				Permissions			Restrictions				Permissions		
State	FIPS code	Policies as of (Dates)	Restaurant Open	Capacity	Food	Hours	Outdoors Only	Takeout or Curbside	Deliver to Homes	Bar Open	Capacity	Food	Hours	Outdoors Only	Takeout or Curbside	Deliver to Homes
AL	01	1/1/20	1	0	0	0	0	0	0	1	0	0	0	0	0	0
AL	01	3/17/20	2	0	0	0	0	0	0	2	0	0	0	0	0	0
AL	01	3/19/20	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AL	01	3/24/20	0	0	0	0	0	1	0	0	0	0	0	0	1	0
AL	01	5/11/20	1	0	0	0	0	1	0	1	0	0	0	0	1	0
AL	01	8/1/20	1	0	0	1	0	1	0	1	0	0	1	0	1	0
AL	01	9/15/20	1	0	0	1	0	0	0	1	0	0	1	0	0	0
AL	01	9/29/20	1	1	0	0	0	0	0	1	1	0	0	0	0	0
AL	01	11/8/20	1	0	0	0	0	0	0	1	0	0	0	0	0	0
AL	01	12/14/20	1	0	0	0	0	1	0	1	0	0	0	0	1	0
AL	01	1/4/21	1	0	0	0	0	0	0	1	0	0	0	0	0	0
AL	01	10/1/21	1	0	0	0	0	0	1	1	0	0	0	0	0	1
AK	02	1/1/20	1	0	0	0	0	0	0	1	0	0	0	0	0	0
AK	02	3/18/20	0	0	0	0	0	0	0	0	0	0	0	0	0	0
AK	02	4/16/20	0	0	0	0	0	1	1	0	0	0	0	0	1	1
AK	02	4/24/20	1	1	0	0	0	1	1	0	0	0	0	0	1	1
AK	02	5/11/20	1	1	0	0	0	1	1	1	1	0	0	0	1	1
AK	02	5/22/20	1	0	0	0	0	1	1	1	0	0	0	0	1	1
AK	02	2/14/21	1	0	0	0	0	0	0	1	0	0	0	0	0	0
AZ	04	1/1/20	1	0	0	0	0	0	0	1	0	0	0	0	1	1
AZ	04	3/20/20	2	0	0	0	0	1	1	2	0	0	0	0	1	1
AZ	04	3/31/20	0	0	0	0	0	1	1	0	0	0	0	0	1	1
AZ	04	5/11/20	1	0	0	0	0	1	1	1	0	1	0	0	1	1
AZ	04	6/29/20	1	0	0	0	0	1	1	0	0	0	0	0	1	1
AZ	04	7/11/20	1	1	0	0	0	1	1	0	0	0	0	0	1	1
AZ	04	8/10/20	1	1	0	0	0	1	1	2	1	2	0	0	1	1
AZ	04	10/20/20	2	1	0	0	0	1	1	2	1	2	0	0	1	1
AZ	04	11/9/20	2	1	0	0	0	0	0	2	1	2	0	0	1	1
AZ	04	3/5/21	2	0	0	0	0	0	0	2	0	2	0	0	1	1
AZ	04	3/25/21	1	0	0	0	0	0	0	1	0	0	0	0	1	1
AZ	04	10/1/21	1	0	0	0	0	1	1	1	0	0	0	0	1	1
AR	05	1/1/20	1	0	0	0	0	1	1	1	0	0	0	0	1	1
AR	05	3/20/20	0	0	0	0	0	1	1	0	0	0	0	0	1	1
AR	05	5/11/20	1	1	0	0	0	1	1	0	0	0	0	0	1	1
AR	05	5/26/20	1	1	0	0	0	1	1	1	1	0	0	0	1	1
AR	05	11/20/20	1	1	0	1	0	1	1	1	1	0	1	0	1	1
AR	05	2/3/21	1	1	0	0	0	1	1	1	1	0	0	0	1	1
AR	05	2/26/21	1	0	0	0	0	1	1	1	0	0	0	0	1	1
CA	06	1/1/20	1	0	0	0	0	1	1	1	0	0	0	0	1	1
CA	06	3/19/20	0	0	0	0	0	1	1	0	0	0	0	0	1	1
CA	06	5/12/20	2	0	1	0	0	1	1	2	0	1	0	0	1	1
CA	06	6/12/20	2	0	0	0	0	1	1	2	0	0	0	0	1	1

► Policy Changes Since 1-1-2020

Policy as of 1-1-2022

Policy as of 9-15-2021

Policies as of 6-15-2021

Interdisciplinary Imperative

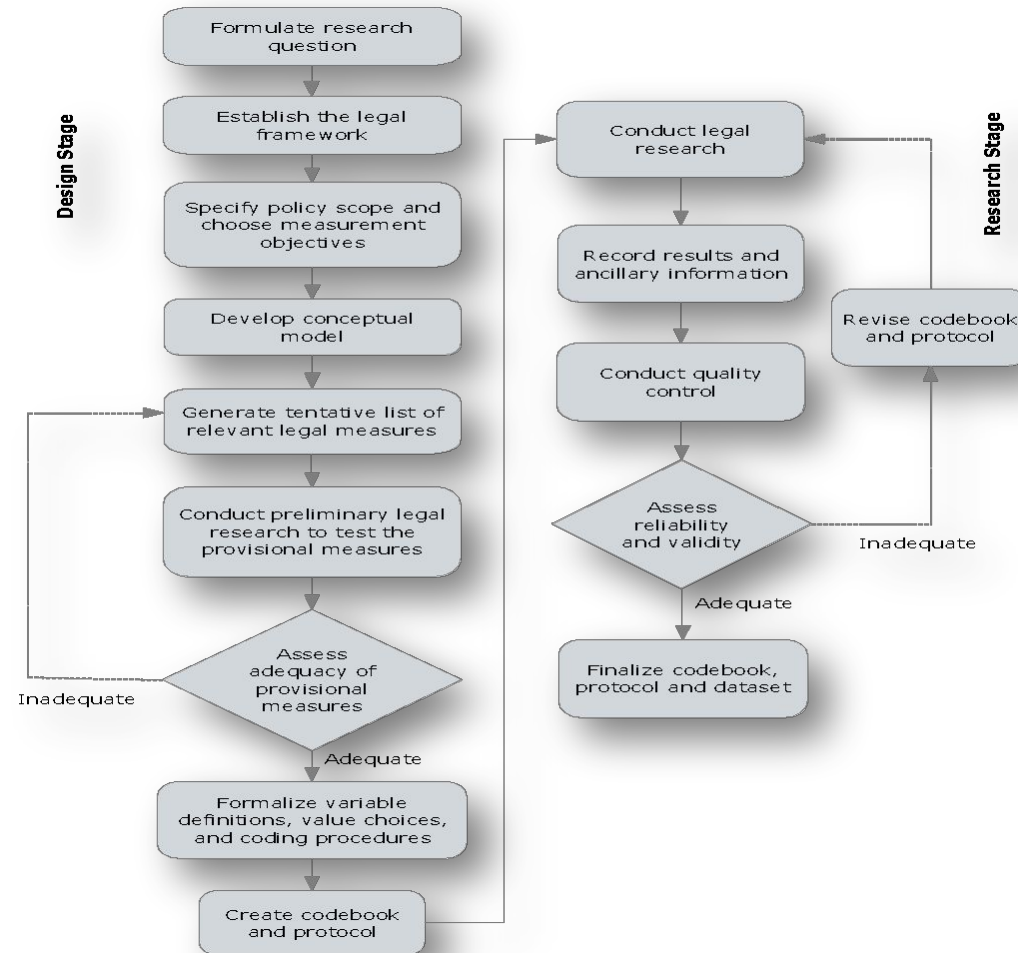
Research at the intersection of public health and the law yields meaningful insights into how effectively policymakers' efforts translate into improved individual and population health.

BUT

	SOCIAL SCIENTISTS GENERALLY	LEGAL SCHOLARS GENERALLY
Are concerned with	GENERALIZABILITY, CROSS-JURISDICTIONAL COMPARISONS, & TRENDS OVER TIME	SPECIFIC JURISDICTIONS & POINTS IN TIME
View inconsistencies of language & definitions	AS NOISE TO BE ELIMINATED	AS THE NATURE OF THE LAW AS CRITICAL TO LEGAL ANALYSIS
Focus on	RESEARCH QUESTIONS, VARIABLES, TESTABLE HYPOTHESES, STATISTICAL ANALYSES	DETAIL TO DETERMINE HOW TO APPLY COMPETING LEGAL PRINCIPLES OR AXIOMS TO SPECIFIC FACT PATTERNS

Using law for social science research requires true interdisciplinarity – integrating the skills of both fields by each set of practitioners and following a careful process.

Process for Measuring Law



Source: Charles Tremper, Sue Thomas, and Alexander Wagenaar. 2010. "Measuring Law for Public Health Research." Princeton, N.J.: Robert Wood Johnson Foundation.

Expanding Access

What we focused on:

- Delivery to consumers home of alcoholic beverages by on-premises retailers
 - Who?
 - What?
 - Where?
 - When?

Variables Identified

State – NAME TBD	
Is there a policy allowing on-premises retailers to deliver alcohol to a consumer at home?	Yes/no
Which on-premises retailers can provide delivery of alcoholic beverages?	
<ul style="list-style-type: none"> Restaurant Bar license Third party license 	Yes/Yes, with state permit/No Yes/Yes, with state permit/No Yes/Yes, with state permit/No
Which types of alcohol are permitted to be delivered?	
<ul style="list-style-type: none"> Beer Wine Spirits Mixed Drinks 	Yes/No Yes/No Yes/No Yes/No
Requirements and Restrictions	
Are there restrictions in place addressing details of the delivery?	
<ul style="list-style-type: none"> Hours limited Amount of alcohol limited Food requirement 	Yes/No Yes/No Yes/No
Are there certain requirements that the delivery person must meet?	
<ul style="list-style-type: none"> Must be 21 Must check ID at point of delivery Must receive payment regardless of delivery completion 	Yes/No Yes/No Yes/No
Notes: (put all notes down here, add a descriptor as to which variable it applies)	

Findings (as of 1/1/2022)

- 22 states allow delivery
- Who can make deliveries?
 - 16 allow from bars
 - 8 allow 3rd Parties
 - 13 require a delivery permit
- What can be delivered?
 - All states allowed 1 or more type sealed beverage
 - 17 states allow mixed beverages to be delivered

Findings (as of 1/1/2022) (cont.)

- Are there restrictions on delivery?
 - 2 states limit hours
 - 10 states limit amount
 - 15 states require food
- Are there delivery driver requirements?
 - 15 states require driver be 21 or older
 - 10 states require mandatory ID check
 - Only 1 state (Alabama) required payment regardless of delivery

What comes next?

Where to go with future research?

For more information

- The 2021 *State Reports* contain each state's 2020 survey responses.
- Analysis of the most recent survey data can be found in the 2021 *State Performance & Best Practices Report*.
- The most current Reports, as well as STOP-related materials from prior years can be found at:
<https://www.stopalcoholabuse.gov>

Thank you!

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