SENATE
STATE OF MINNESOTA
NINETY-FIRST SESSION

S.F. No. 4489

(SENATE AUTHORS: HOUSLEY, Hoffman, Anderson, P., Franzen and Jasinski)

DATE	D-PG	OFFICIAL STATUS
04/16/2020	5628	Introduction and first reading
	5628	Laid on table
		Authors added Franzen; Jasinski
	5630	Taken from table
		Urgency declared rules suspended
	5630	Second reading
	5630	Third reading Passed
		Presentment date 04/17/2020
04/20/2020	5640	Governor's action Approval 04/17/2020
	5641	Secretary of State Chapter 75 04/17/2020
	5641	Returned from House
		Effective date 04/18/20

A bill for an act

relating to liquor; allowing certain on-sale licensees to make off-sales of liquor.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

Section 1. **LIMITED OFF-SALE FOR RESTAURANTS CLOSED BY EXECUTIVE ORDER.**

(a) A qualifying licensee may offer off-sales of malt liquor, hard seltzer, cider, and wine with a prepared food take-out order, without obtaining an additional license, subject to the following limitations:

(1) any sale of malt liquor, hard seltzer, cider, and wine is made in conjunction with and is incidental to the sale of prepared food for take-out;

(2) the alcoholic beverages are sold in their original, unopened packaging;

(3) no more than 72 ounces in total of malt liquor, hard seltzer, and cider; and 750 milliliters of wine may be sold per prepared food take-out order;

(4) the qualifying licensee must confirm that the person picking up the prepared food take-out order is at least 21 years of age as provided by Minnesota Statutes, section 340A.503, subdivision 6; and

(5) the qualifying licensee must notify the insurer providing the coverage required by Minnesota Statutes, section 340A.409, that it is making off-sales under this section.

(b) All laws and rules relating to the off-sale of liquor under Minnesota Statutes, chapter 340A, not inconsistent with this section apply to the sales allowed by this section including

but not limited to Minnesota Statutes, sections 340A.502 to 340A.504. No delivery of alcoholic beverages is authorized by this section.

(c) The governing body of a municipality may elect to prohibit the off-sale of alcoholic beverages authorized by this section.

(d) For purposes of this section, "qualifying licensee" means a restaurant holding an on-sale intoxicating liquor license issued under Minnesota Statutes, section 340A.404, subdivision 1, paragraph (a), clause (2), or subdivision 6, paragraph (a), or a restaurant holding an on-sale wine license issued under Minnesota Statutes, section 340A.404, subdivision 5. Nothing in this section affects or modifies the ability of a licensed brewer to make off-sales of alcoholic beverages under law.

(e) The authority to make off-sales of malt liquor, hard seltzer, cider, and wine under this section expires when the closure of restaurants as set forth in Executive Order 20-04, as modified and extended by Executive Orders 20-18 and 20-33, or any subsequent order, expires, or is terminated or rescinded.

EFFECTIVE DATE. This section is effective the day following final enactment.