

Policy Summary

Low-Price, High-Volume Drink Specials

This policy summary is excerpted from:

The December 2015 Report to Congress on the Prevention and Reduction of Underage Drinking

Low-Price, High-Volume Drink Specials

Policy Description

Restrictions on low-price, high-volume drink specials prohibit or limit the ability of on-premises retailers from using various price-related marketing tactics such as happy hours, two-for-one specials, or free drinks that encourage heavier consumption. These promotions are particularly prevalent in college communities, where large numbers of underage students are present.

Research has examined the impact of on-premises retail drink specials on binge drinking among college students. For example, one study measured self-reported binge-drinking rates among college students from 119 colleges, conducted an assessment of marketing practices of on-premises outlets in neighboring communities, and determined whether these communities restricted low-price, high-volume drink specials. The results demonstrated that price-related promotions were significantly correlated with higher binge drinking and self-reported drinking and driving rates among students (Wechsler, Lee, Nelson, & Lee, 2003).

Based on this and other research, the *Surgeon General's Call to Action* concluded that “increasing the cost of drinking can positively affect adolescent decisions about alcohol use,” and recommended “[e]limination of low price, high-volume drink specials, especially in proximity to college campuses, military bases, and other locations with a high concentration of youth.”

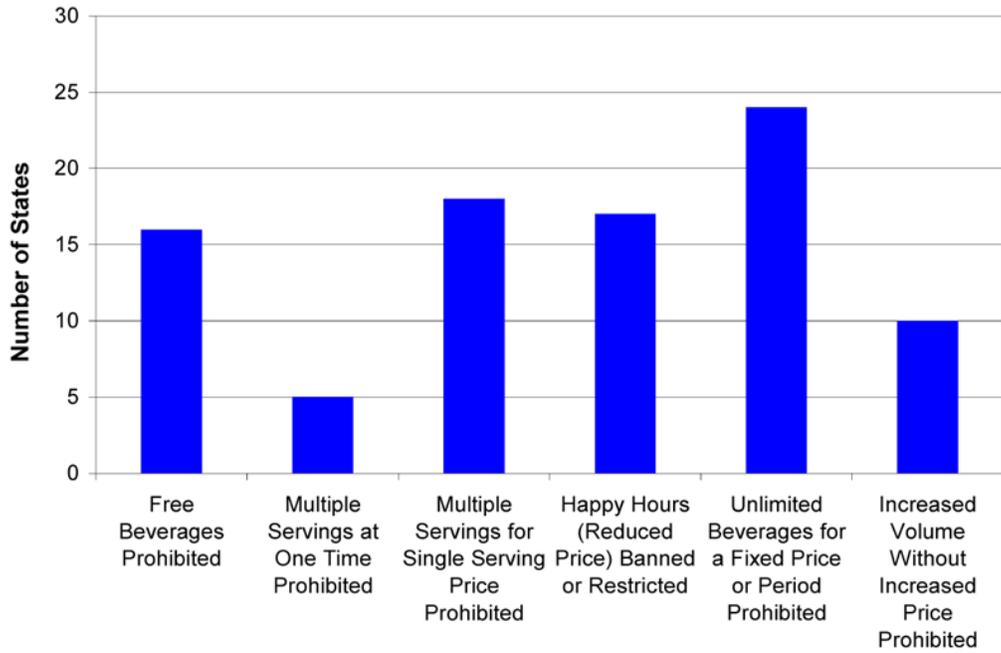
A state low-price, high-volume drink specials law may prohibit or restrict the following practices:

1. Providing customers with free beverages either as a promotion or on a case-by-case basis (e.g., on a birthday or anniversary, as compensation for poor services)
2. Offering additional drinks for the same price as a single drink (e.g., two-for-ones)
3. Offering reduced-price drinks during designated times of day (“happy hours”)
4. Instituting a fixed price for an unlimited amount of drinks during a fixed period of time (e.g., “beat the clock” and similar drinking games)
5. Offering drinks with increased amounts of alcohol at the same price as regular-sized drinks (e.g., double shots for the price of single shots)
6. Service of more than one drink to a customer at a time

Status of Low-Price, High-Volume Drink Specials Law

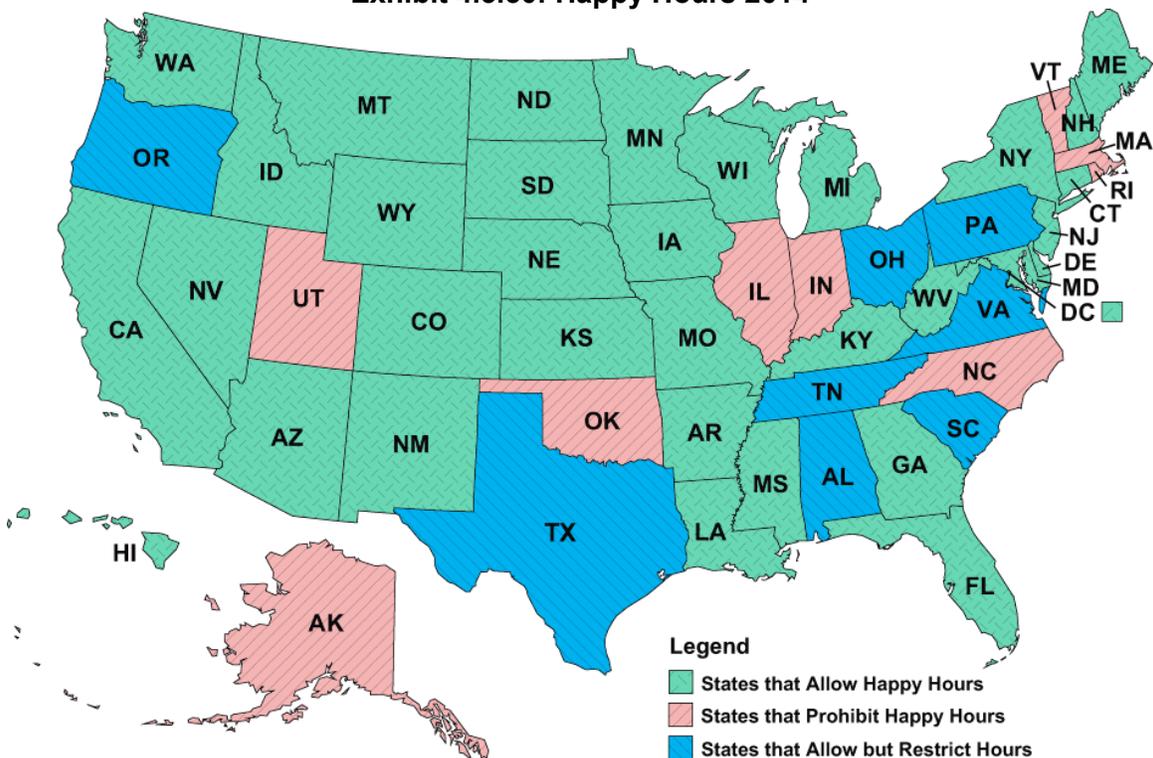
Exhibit 4.3.49 shows the number of states that prohibited the six low-price, high-volume specials listed above. Sixteen states prohibited *free beverages*. Six additional states (California, New Jersey, New Mexico, South Carolina, Texas, and Washington) allowed a licensee to offer a free drink on a case-by-case basis only (e.g., on a birthday or anniversary, as compensation for poor services). Four states prohibited *multiple servings at one time*. In one of these states (Tennessee), this prohibition applied only after 10 p.m. Eighteen states prohibited *multiple servings for single serving price*. Twenty-four states prohibited *unlimited beverages for a fixed price or period*. In one of these (Louisiana), this prohibition applied only after 10 p.m. Ten states prohibited *increased volume without increase in price*, with Tennessee making it unlawful after 10 p.m.

Exhibit 4.3.49: Number of States Prohibiting Various Low-Price, High-Volume Drink Specials



As can be seen in Exhibit 4.3.50, nine states prohibited *happy hours (reduced prices)*. Eight additional states allowed happy hours but restricted the hours in which they may be offered.

Exhibit 4.3.50: Happy Hours 2014



Trends in Low-Price, High-Volume Drink Specials Law

Since 2011, one state (Pennsylvania) has increased the number of hours during which discounts may be offered. Since 2012, Kansas has changed its law to allow reduced-price drinks during designated times of day and increased volume of an alcoholic beverage.

References and Further Information

Legal research for this topic is planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. To see definitions of the variables for this policy, go to Appendix B. For further information and background, see:

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