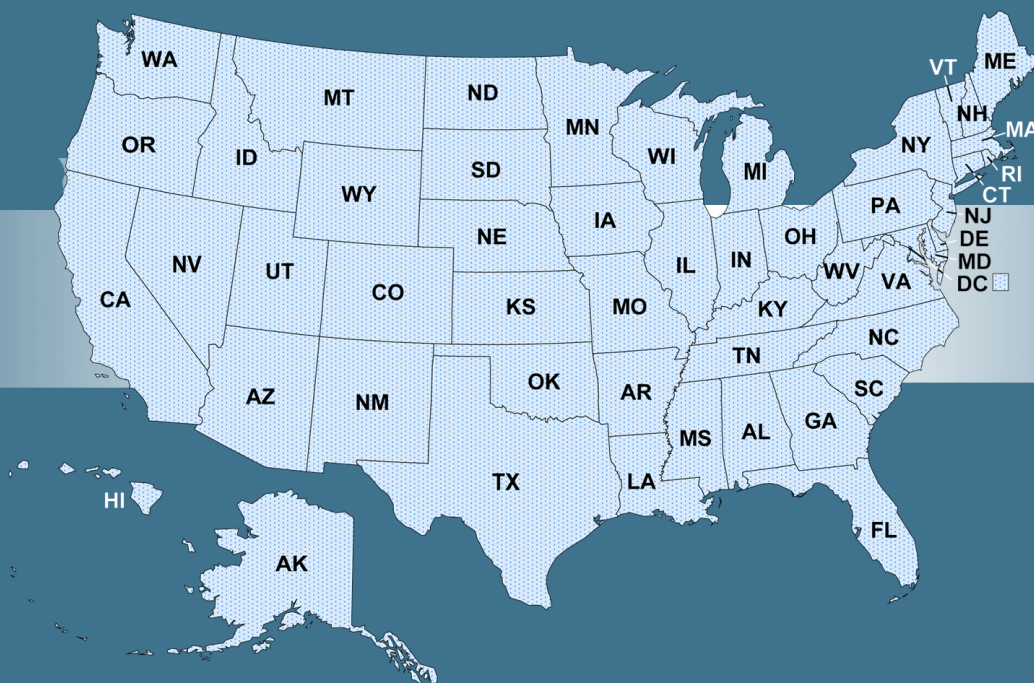


# STATE PERFORMANCE & BEST PRACTICES

*for the Prevention and Reduction of Underage Drinking*

2018



## POLICY SUMMARY:

*Minimum Ages for Off-Premises Sellers*



***SAMHSA***  
Substance Abuse and Mental Health  
Services Administration

The *State Performance and Best Practices* is required by the Sober Truth on Preventing (STOP) Underage Drinking Act (Pub. L. 109-422), which was enacted by Congress in 2006 and reauthorized in December 2016 as part of the 21st Century Cures Act (Pub. L. 114-255). The STOP Act directs the Secretary of the Department of Health and Human Services (HHS), working with the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), to develop a set of performance measures for evaluating the states' use of best practices in preventing underage drinking, and to consider a set of enumerated categories in doing so. The STOP Act also requires an annual report on each state's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.

This *State Performance and Best Practices*, and the 51 individual State Reports, were prepared by the ICCPUD, which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services.

**Time period covered by the 2018 *State Performance and Best Practices*:** The 2018 version primarily includes data from calendar year 2017. The data on state legal policies reflects the state of the law as of January 1, 2017. The state survey data was collected in 2017, and is drawn from the most recent 12-month period in which the states maintained the data.

#### **Recommended Citation**

U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA), Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD). (2018). *State Performance and Best Practices for the Prevention and Reduction of Underage Drinking*.

## Minimum Ages for Off-Premises Sellers

### Policy Description

Most states have laws that specify a minimum age for employees who sell alcoholic beverages in off-premises establishments such as liquor stores. In some states, the minimum age for sellers is 21. In many states, however, off-premises sellers may be younger than 21, and in a few states no minimum age is specified.

In some cases, persons under 21 may be allowed to sell alcohol only in certain types of off-premises establishments (e.g., grocery stores, convenience stores), or may be allowed to sell only some beverage types (e.g., beer, wine). In some cases, sellers of alcohol must be at least 18, but younger employees may be allowed to stock coolers with alcohol or to bag purchased alcohol.

Several states place conditions on off-premises sellers under 21 years old. These include requirements that a legal-age manager or supervisor be present when the underage person is selling alcoholic beverages.

State laws specifying the minimum age for employees who sell alcoholic beverages for on-premises consumption are described in the “Minimum Ages for On-Premises Servers and Bartenders” policy.

### Status of Age of Seller Policies

#### *Minimum Age of Sellers and Types of Beverages*

Most jurisdictions specify the same minimum age for sellers of all types of alcoholic beverages (see Exhibit I.23). As of January 1, 2017, 10 states specify that off-premises sellers be 21 or older. Two states (Idaho and Indiana) require off-premises sellers to be 19 or older; 19 states and the District of Columbia have set the minimum age at 18. Nine states set the minimum age between 15 and 17. Ten states do not specify any minimum age for sellers.

Among states with requirements, the minimum age varies by type of alcohol, with age requirements generally higher for the sale of distilled spirits and lower for beer.

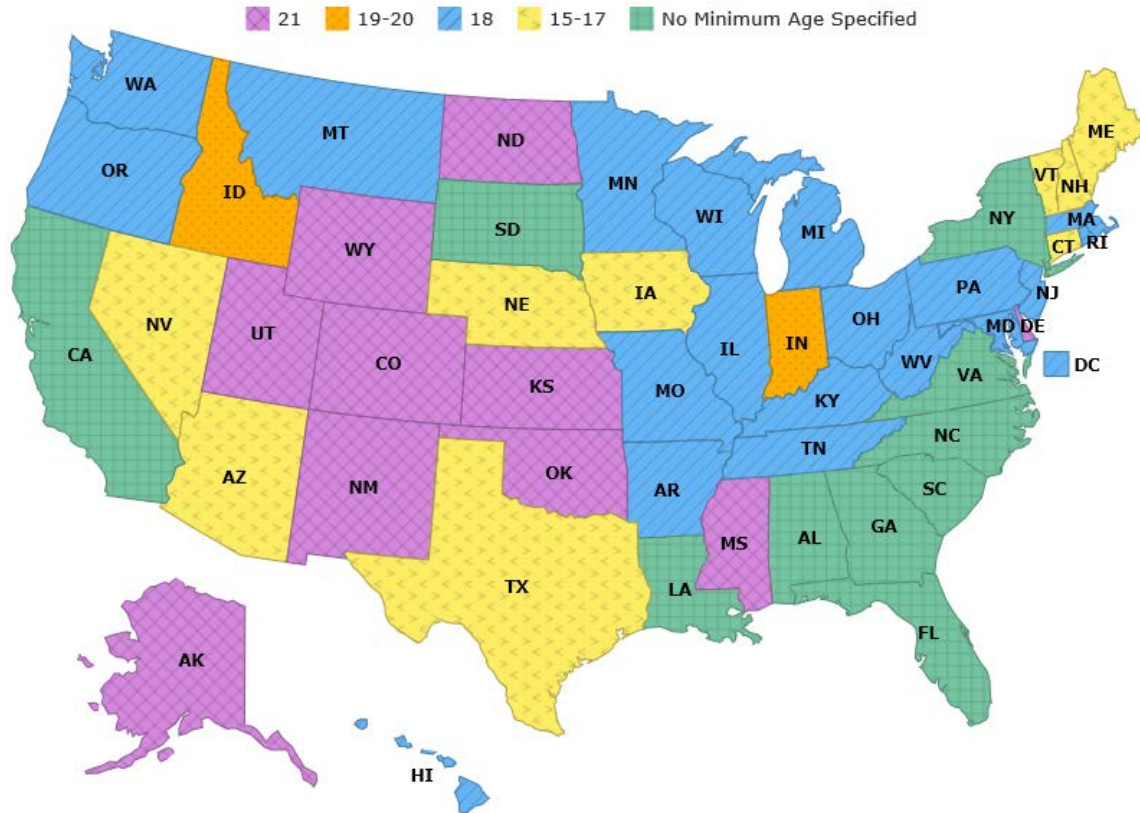
#### *Manager or Supervisor Presence*

Fourteen states require that a supervisor or manager be present when an underage seller conducts an alcoholic beverage transaction.

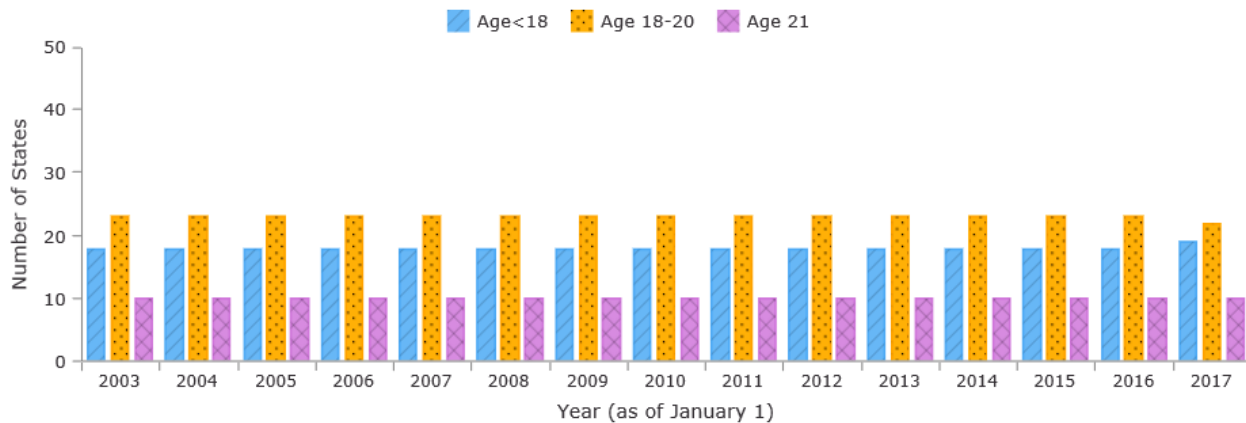
### Trends in Age of Seller Policies

There were no changes in age of seller policies across states between 2003 and 2016. As of January 1, 2017, Connecticut added a “manager or supervisor presence” to their Age of Seller, Off-Premises requirement, and Nebraska reduced the minimum age of seller age for beer, wine, and distilled spirits from 19 to 16 (see Exhibit I.24).

**Exhibit I.23: Minimum Age To Sell Beer for Off-Premises Consumption as of January 1, 2017**



**Exhibit I.24: Distribution of Minimum Ages for Off-Premises Sellers of Beer, January 1, 2003, through January 1, 2017**



## Data Sources and Citations

All data for this policy were obtained from <http://www.alcoholpolicy.niaaa.nih.gov>, NIAAA's APIS. Follow links to the policy titled "Minimum Ages for Off-Premises Sellers" for further descriptions of this policy and its variables, details regarding state policies, and a review of the limitations associated with the reported data.

Fell, J. C., Scherer, M., & Voas, R. (2015). The utility of including the strengths of underage drinking laws in determining their effect on outcomes. *Alcoholism: Clinical and Experimental Research*, 39(8), 1528–1537.

Fell, J. C., Scherer, M., Thomas, S., & Voas, R. (2016). Assessing the impact of twenty underage drinking laws. *Journal of Studies on Alcohol and Drugs*, 77(2), 249–260.

Fell, J. C., Thomas, S., Scherer, M., Fisher, D. A., & Romano, E. (2015). Scoring the strengths and weaknesses of underage drinking laws in the United States. *World Medical & Health Policy*, 7, 28–58.

National Research Council & Institute of Medicine. (2004). *Reducing Underage Drinking: A Collective Responsibility*. Washington, DC: National Academies Press.

Reboussin, B. A., Song, E. Y., & Wolfson, M. (2011). The impact of alcohol outlet density on the geographic clustering of underage drinking behaviors within census tracts. *Alcoholism: Clinical and Experimental Research*, 35(8), 1541–1549.

Wagenaar, A. C., Toomey, T. L., & Erickson, D. J. (2005). Complying with the minimum drinking age: Effects of enforcement and training interventions. *Alcoholism: Clinical and Experimental Research*, 29(2), 255–262.

Wechsler, H., Lee, J., Nelson, T., & Lee, H. (2003). Drinking and driving among college students: The influence of alcohol control policies. *American Journal of Preventive Medicine*, 25(3), 212–218.