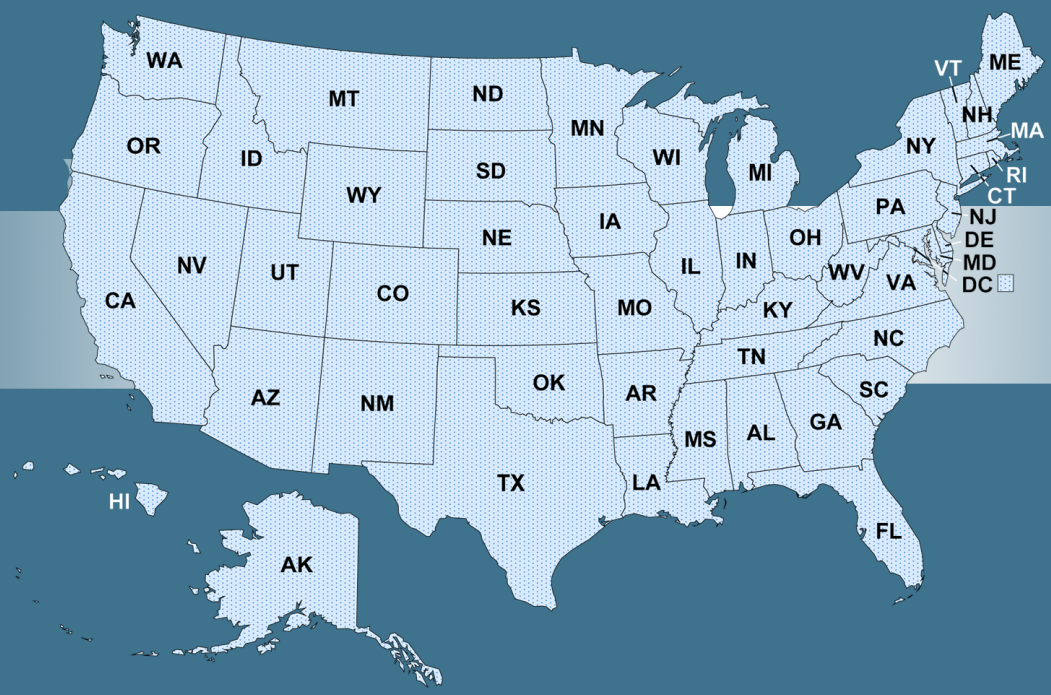
STATE PERFORMANCE & BEST PRACTICES

for the Prevention and Reduction of Underage Drinking

2018



POLICY SUMMARY:

Distance Limitations Applied to New Alcohol Outlets

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.*

Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools

Policy Description

Policies that limit the placement of retail alcohol outlets near colleges and schools are designed to make alcohol less accessible to youth by keeping alcohol sales physically distant from locations where underage people congregate. In addition, such policies aim to reduce the social availability of alcohol by limiting youth exposure to alcohol consumption.

Outlets Near Colleges and Universities

Alcohol outlet density in general is linked to excessive alcohol consumption and related harms according to research collected and evaluated by the Community Preventive Services Task Force and presented in the *Community Guide* (Campbell et al., 2009; Task Force on Community Preventive Services, 2009). The *Community Guide* recommends the use of regulatory authority—for example through zoning and licensing—to reduce alcohol outlet density.

Limiting the location of retail outlets near colleges and universities and their high concentrations of underage drinkers is one way to implement this recommendation in a high-risk setting. The NIAAA publication, *A Call to Action: Changing the Culture of Drinking at U.S. Colleges*, includes limiting alcohol outlet density as an evidence-based, recommended strategy for reducing college drinking (NIAAA, 2002).

Research shows a correlation between underage drinking and retail outlet density near college and university campuses. In a study of eight universities, outlet density was correlated with heavy and frequent drinking among college students, including underage students (Weitzman, Folkman, Folkman, & Wechsler, 2003). Another study found that both on- and off-premises alcohol outlet densities were associated with campus rape offense rates; the effect of on-campus densities was reduced when student drinking levels were considered (Scribner et al., 2010).

A third study examined “secondhand” effects of drinking on residential neighborhoods near college campuses, and concluded that limiting the number of outlets near colleges, particularly those colleges with high rates of binge drinking, could mitigate the secondhand effects (Wechsler, Lee, Hall, Wagenaar, & Lee, 2002). A 1996 study found higher rates of drinking and binge drinking among college students when there were higher numbers of alcohol outlets within one mile of campus (Chaloupka & Wechsler, 1996).

Outlets Near Primary and Secondary Schools

Limiting outlets near primary and secondary schools is another way to reduce alcohol outlet density in a high-risk setting of underage drinking, although there is no nationwide research comparable to that for universities that focuses specifically on the relationship between drinking by K–12 students and the proximity of alcohol outlets to their schools. However, a 2016 study of more than 25,000 Maryland high school students found a positive relationship between the number of alcohol outlets near a school and the perceived availability of alcohol, tobacco, and other drugs among girls (Milam, Lindstrom Johnson, Furr-Holden & Bradshaw, 2016). Perceived availability was associated with self-reported substance use.

Types of Outlet Density Restrictions

Outlet density restrictions typically require that alcohol outlets be located a certain distance from a school. Such restrictions may regulate the location of retail outlets near colleges and universities, near primary and secondary schools, or near both categories of schools. Some restrictions limit the sale of alcohol directly on university campuses. Outlet density restrictions may apply to off- and on-premises retailers, or both types of retailers. Restrictions may also apply to the sale of beer, wine, spirits, or some combination of the three.

Distance requirements vary widely, from 100 feet (the distance a primary or secondary school in Illinois must be from an off-premises outlet) to 1.5 miles (the distance a university in California must be from an outlet selling wine or spirits). Restrictions that mandate greater distances are more likely to promote the goals of keeping alcohol away from underage drinkers and reducing their exposure to alcohol marketing.

Distance restrictions apply to the issuance of new licenses, and retail alcohol outlets that were in business prior to the enactment of the restriction may still be allowed to operate within the restricted zone. In these cases, the distance restriction would prevent increased alcohol outlet density without necessarily reducing density or eliminating the presence of retail establishments in the restricted zone.

Status of Outlet Density Restrictions

Colleges and Universities

Twelve states have some type of restriction on outlet density near colleges and universities, whereas 39 have no restrictions. Of the 12 states with restrictions, 11 have restrictions that apply to both on- and off-premises outlets. Kansas' restriction applies only to off-premises outlets.

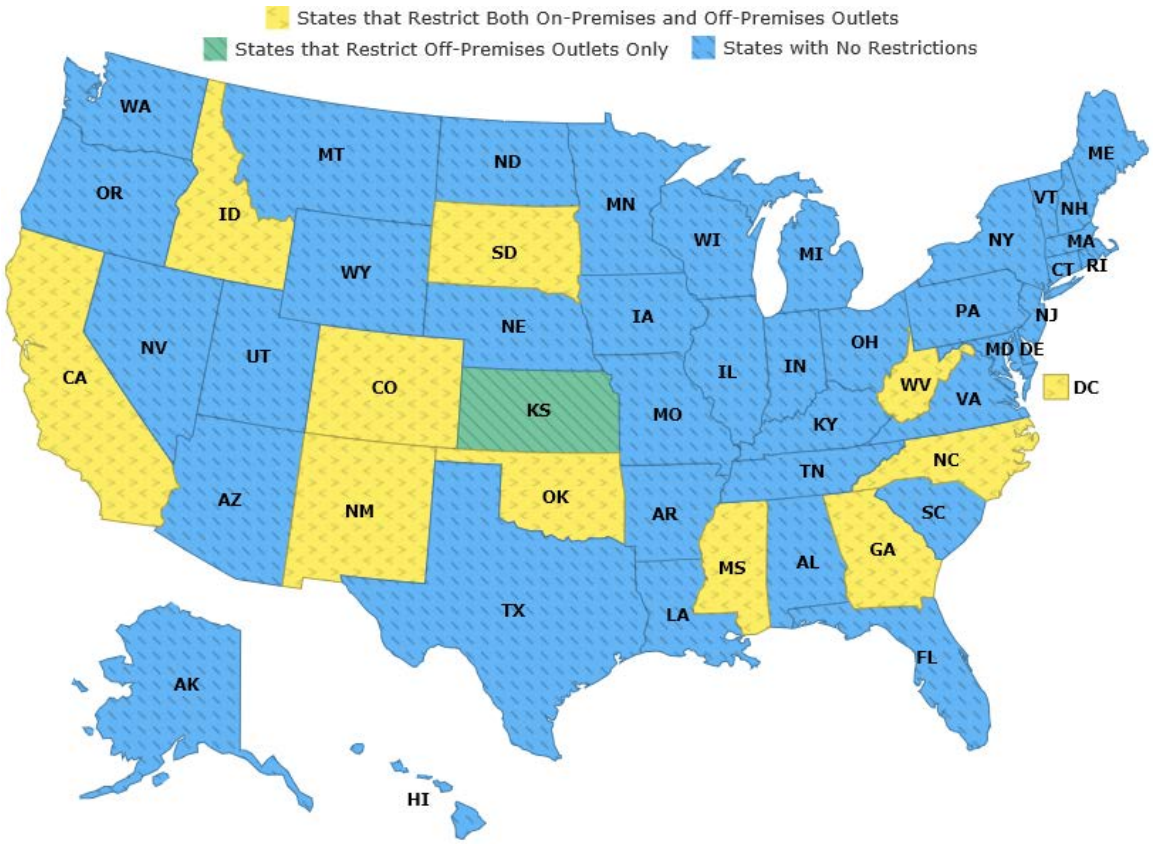
Nearly all of the restrictions apply to beer, wine, and spirits. California's and Mississippi's restrictions apply only to wine and spirits, North Carolina's restriction applies to beer and wine, and West Virginia's applies only to beer. Exhibit I.27 draws attention to states with restrictions on colleges and universities and shows whether restrictions apply to off- or on-premises outlets.

Primary and Secondary Schools

Many more states have laws restricting outlet location near primary and secondary schools: 31 states have some restriction, whereas 20 states have none. Of the 31 states restricting outlet location, 23 apply restrictions to both off- and on-premises locations. Restrictions apply only to on-premises locations in six states: Florida, Hawaii, Idaho, Maine, Montana, and Rhode Island. Arkansas and Kansas restrict only off-premises locations.

Most of the restrictions apply to beer, wine, and spirits. Restrictions in Arkansas, New York, Mississippi, and Wisconsin apply to wine and spirits; North Carolina's restrictions apply only to beer and wine, and West Virginia's restrictions apply only to beer. Exhibit I.28 shows the states with restrictions on primary and secondary schools and shows whether the restrictions apply to off- or on-premises outlets.

Exhibit I.27: States with Restrictions on Placement of Retail Outlets Near Colleges and Universities



Data Sources and Citations

Legal research and data collection for this topic are planned and managed by SAMHSA and conducted under contract by The CDM Group, Inc. For more information, including definitions of the variables for this policy, contact underagedrinking@samhsa.gov.

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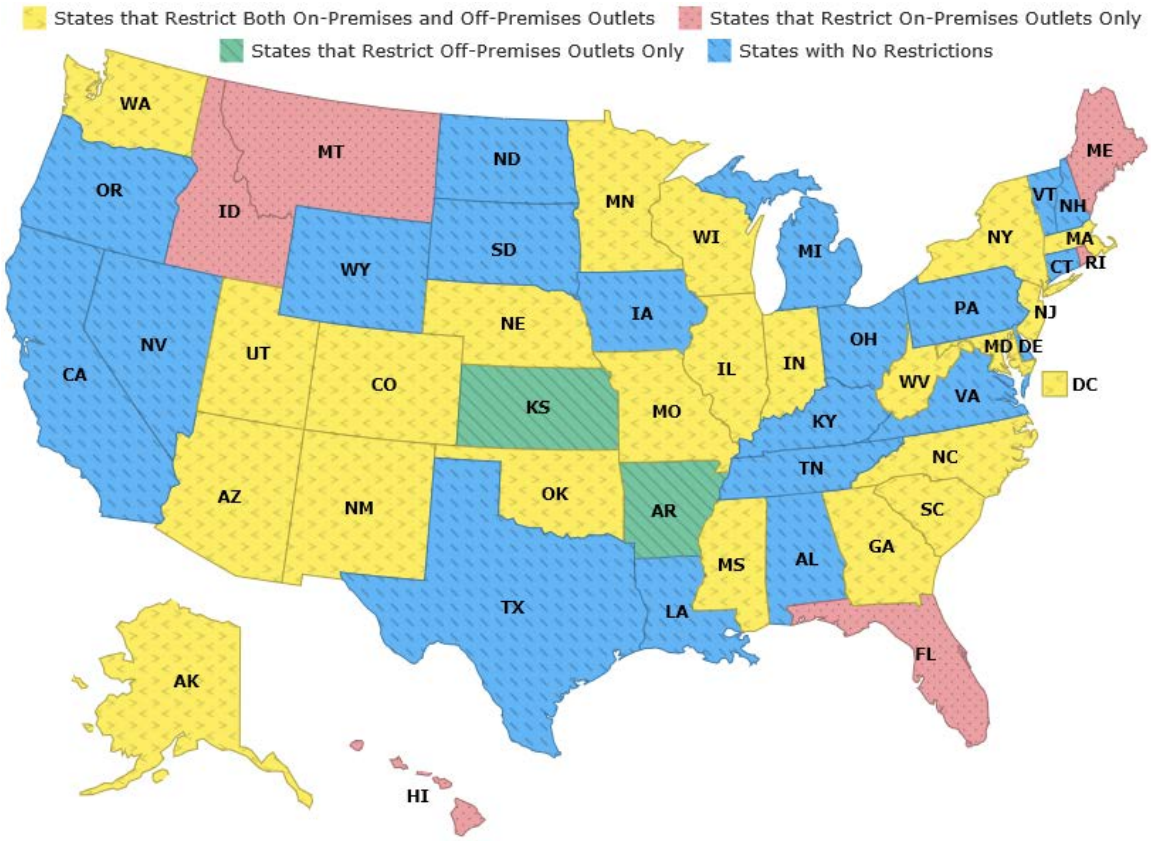
Exhibit I.28: States with Restrictions on Placement of Retail Outlets Near Primary and Secondary Schools



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