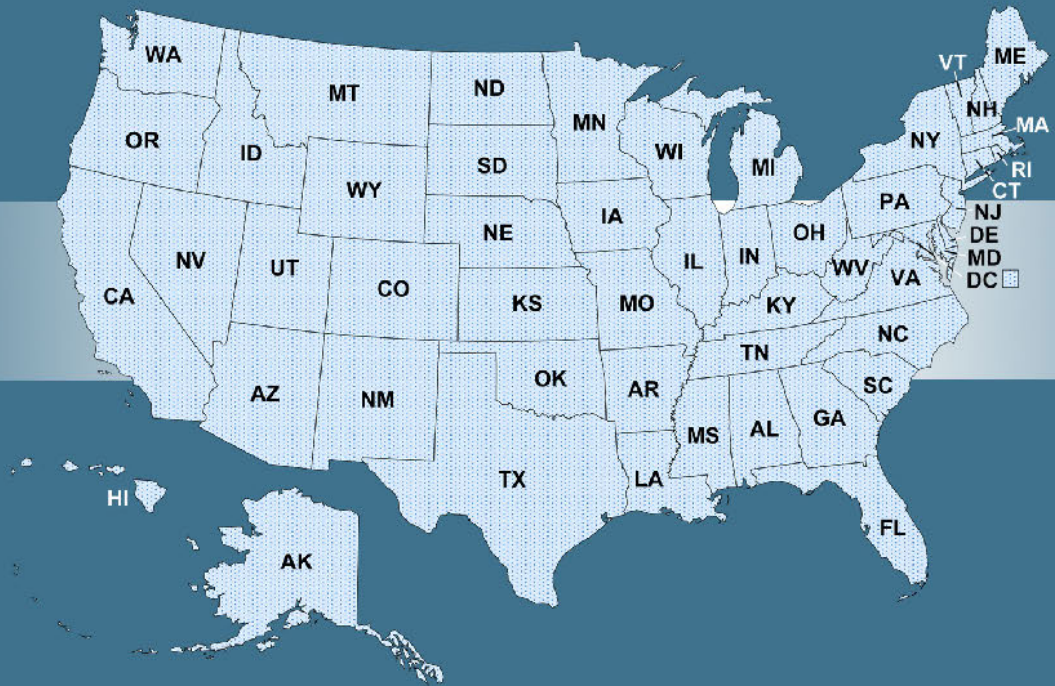


# TENNESSEE STATE REPORT

## Underage Drinking Prevention and Enforcement

2020



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

This *State Report* 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 requires an annual report “on each State's performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking.” As directed by the STOP Act, the *State Reports* were prepared by the Interagency Coordinating Committee on the Prevention of Underage Drinking (ICCPUD), which is chaired by the Assistant Secretary for Mental Health and Substance Use, U.S. Department of Health and Human Services (HHS).

**Time Period Covered by this *State Report*:** This *State Report* primarily includes data from calendar year 2019. Regional and state profile data were drawn from the most recently available federal survey data as of 2018. State legal data reflect the status of the law as of January 1, 2019. State survey data, collected in 2019, were drawn from the most recent 12-month period in which the states maintained the data.

**Source of Data:** For each state, overall population information was taken from 2010 Census data. Data about the portion of each state’s population comprising 12-to 20-year-olds, as well as facts about past-month alcohol use and binge use, were averaged from the 2015 through 2018 National Surveys on Drug Use and Health (NSDUH), SAMHSA’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2018). Confidence intervals for these estimates are available from CBHSQ’s Division of Surveillance and Data Collection on request. The Centers for Disease Control and Prevention’s Alcohol-Related Disease Impact (ARDI) application served as the resource for data about alcohol-attributable deaths from 2006–10 among youth under age 21. ARDI was also the source for state-level data on years of potential life lost as a result of underage alcohol-related fatalities. The National Center for Statistics and Analysis’s Fatality Analysis Reporting System (FARS) provided the 2018 data used to present statistics about fatalities among 15-to 20-year-old drivers.

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## Tennessee

**State Population: 6,770,010**

**Population Ages 12–20: 778,000**

Past-Month Alcohol Use Among 12- to 20-Year-Olds	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	120,100 (15.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	73,100 (9.4%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	2,600 (1.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	300 (0.1%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	38,300 (13.8%)
Past-Month Binge Alcohol Use – Number (Percentage)	25,900 (9.3%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	79,300 (29.6%)
Past-Month Binge Alcohol Use – Number (Percentage)	46,900 (17.5%)
Alcohol-Attributable Deaths and Years of Potential Life Lost Under the Age of 21	
Alcohol-Attributable Deaths (under 21)	109
Years of Potential Life Lost (under 21)	6,551
Fatal Crashes Involving a 15- to 20-Year-Old Driver With Blood Alcohol Concentration (BAC) > 0.01% <sup>1</sup>	
Number of Fatalities Involving 15- to 20-Year-Old Driver With BAC > 0.01%	17
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	16%

<sup>1</sup> Alcohol-related fatalities are estimates derived from a sophisticated statistical procedure. The estimates are rounded to the nearest whole number, however, percentages as displayed are calculated from the unrounded estimates and may not equal those calculated from the rounded estimates. Totals may not equal the sum of components due to independent rounding.

## Behavioral Health Services Overview<sup>2</sup>

The Department of Mental Health and Substance Abuse Services (TDMHSAS) serves as Tennessee's substance use disorders (SUD), mental health, and opioid authority. TDMHSAS is responsible for system planning; setting policy and quality standards; licensing personal support services agencies, substance abuse and mental health services and facilities; system monitoring and evaluation; and disseminating public information and advocacy for persons of all ages who have a substance use, mental, or co-occurring disorder, including serious emotional disturbance. TDMHSAS also provides inpatient psychiatric services for adults, including acute, subacute, and secure forensic beds, through its operation of four fully accredited Regional Mental Health Institutes (RMHIs).

The Division of Substance Abuse Services (DSAS) serves as the Single State Authority (SSA) for receiving and administering federal block grant and state funding for substance abuse services. Our mission is to improve the quality of life of Tennessee citizens by providing an integrated network of comprehensive SUD services, fostering self-sufficiency, and protecting those who are at risk of substance abuse, dependence, and addiction. One of DSAS' strengths is its integrated behavioral health substance abuse system. This system consists of providers, state departments, state agencies, judicial courts, grassroots organizations and faith-based organizations that are collaborating to provide effective and efficient delivery of mental health and substance abuse services to Tennesseans.

### Prevention Services

The DSAS prevention structure has three service components to address the prevention needs of individuals, communities, regions, and the state. This structure provides the essential framework and resources necessary to reach Tennessee's high-need communities. Prevention service components include provider agencies, prevention coalitions, and regional workgroups. Within this system, high-need communities and populations are identified by a State Epidemiological and Outcomes Workgroup (SEOW) assessment. Provider agencies deliver culturally appropriate, selected and indicated programs per an assessment through the Tennessee Prevention Network program, which is comprised of county-level coalitions focused on the prevention needs of individuals, communities, regions, and the state. The Strategic Prevention Framework (SPF) is the cornerstone of the prevention structure. The Network works to reduce underage alcohol use, underage tobacco use, and prescription drug use across the lifespan by working within their home communities to implement data-based plans that endeavor to solve the problems in their community through environmental- and community-based strategies.

Additionally, the Coalition for Healthy and Safe Campus Communities serves higher education institutions in Tennessee, a population known to be at great risk for alcohol and drug misuse. Regional workgroups deliver universal indirect interventions, which leverage the efforts of individual coalitions and program providers by implementing environmental strategies in all areas of the state, including those areas without direct funding or a stand-alone program or

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<sup>2</sup> Extracted from fiscal year (FY) 2018/2019 – (Tennessee) State Behavioral Health Assessment and Plan, Substance Abuse Prevention and Treatment Block Grant (SABG), Center for Substance Abuse Prevention (CSAP), Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

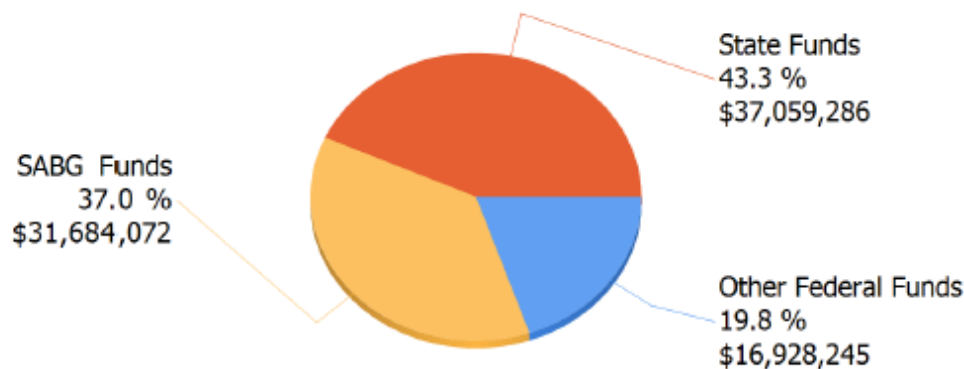
coalition. All prevention providers are contractually required to take part in their respective Regional Prevention Council. The Regional Prevention Councils are responsible for leveraging and broadening the activities of community coalitions in their area. Councils meet quarterly to discuss implementation of approved Regional Prevention Plans and to identify and address specific prevention needs of the region.

## Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through Substance Abuse Prevention and Treatment Block Grant (SABG) funds administered by the Substance Abuse and Mental Health Services Administration (SAMHSA). Exhibit 1 shows the sources that Tennessee used for expenditures on substance abuse prevention and treatment in 2019. As indicated, state funds and SABG funds account for the largest sources (43.3 percent and 37.0 percent, respectively).<sup>3</sup>

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2018-2019, Tennessee did not specifically identify underage drinking as a prevention priority for use of SABG funds.<sup>4</sup>

### Exhibit 1: Sources of Tennessee's 2019 Expenditures for Substance Abuse Prevention and Treatment



<sup>3</sup> WebBGAS State Profile, 2019 SABG and Community Mental Health Block Grant (MHBG) Reports – Tennessee 2019.

<sup>4</sup> FY 2018/2019 – (Tennessee) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, Center for Substance Abuse Treatment, Division of State and Community Assistance: Table 1: Priority Areas and Annual Performance Indicators.

## State Performance: Laws, Enforcement, and Programs

As mandated by the STOP Act, this report details Tennessee’s performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. The following sections address these measures.

***State Laws and Policies:*** These 26 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into four categories:

1. Laws addressing minors in possession of alcohol;
2. Laws targeting underage drinking and driving;
3. Laws targeting alcohol suppliers; and
4. Laws affecting alcohol pricing.

***STOP Act State Survey Data:*** The STOP Act requires annual reporting of data from the 50 states and the District of Columbia on their performance in enacting, enforcing, and creating laws, regulations, and programs to prevent or reduce underage drinking. Administered since 2011, the STOP Act State Survey collects data on the following topics:

1. Enforcement programs to promote compliance with underage drinking laws and regulations.
2. Programs targeted to youth, parents, and caregivers to deter underage drinking.
3. State interagency collaborations to implement prevention programs, best-practice standards, collaborations with tribal governments, and participation in underage drinking media campaigns.
4. State expenditures on the prevention of underage drinking.

## Laws Addressing Minors in Possession of Alcohol

Underage-Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is possession allowed if parent or guardian is present or consents?	No
• Is possession allowed if spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Consumption	
Is underage consumption of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
• Is consumption allowed if the parent or guardian is present or consents?	No
• Is consumption allowed if the spouse is present or consents?	No
Is there an exception based on location?	No

Underage-Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
• Is internal possession allowed if the parent or guardian is present or consents?	N/A
• Is internal possession allowed if the spouse is present or consents?	N/A
Is there an exception based on location?	N/A

Underage-Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	Yes

Underage-False Identification for Obtaining Alcohol	
Provisions Targeting Minors	
Is the use of false identification (ID) prohibited?	Yes
Does the use of a false ID result in minor's driver's license suspension?	Yes, through a judicial process
Provisions Targeting Suppliers	
Is the lending or transferring or selling of a false ID prohibited?	No
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
Retailer Support Provisions	
Is there an incentive for the retailer to use electronic scanners for information digitally encoded on valid IDs?	No
Are state driver's licenses for persons under 21 easily distinguishable from licenses for persons 21 and over?	Yes
May retailers seize apparently false IDs without fear of prosecution even if the ID is ultimately deemed valid?	No
Does an affirmative defense exist for the retailer?	Yes

• Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?	Yes
• Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?	No
Does the retailer have the right to sue the minor for use of a false ID?	No
May a retailer detain a minor who used a false ID?	No
Notes: In Tennessee, APIS bases coding for the Specific Affirmative Defense afforded to retailers on Tenn. Code Ann. § 57-5-108. This statute provides that no permit or license shall be revoked on the grounds that the operator or any person working for the operator sells beer to a minor over the age of 18 years if such minor exhibits an identification, false or otherwise, indicating the minor's age to be 21 or over, if the minor's appearance as to maturity is such that the minor might reasonably be presumed to be of such age and is unknown to such person making the sale. As of July 1, 2006, it is also an affirmative defense to criminal prosecution if any person accused of giving or buying alcoholic beverages or beer for a minor acted upon a reasonably held belief that the minor was of legal age. Tenn. Code Ann. § 39-15-404. APIS does not rely on this statute for coding of a General Affirmative Defense because § 57-5-108 applies more specifically to retailers.	

### Laws Targeting Underage Drinking and Driving

Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)	
What is the maximum blood alcohol concentration (BAC) limit for an underage driver of a motor vehicle?	0.02%
Does a BAC level in excess of limit automatically establish a violation (per se violation)?	Yes
What is the minimum age to which the limit applies?	16
What is the maximum age to which the limit applies?	21

Loss of Driving Privileges for Alcohol Violations by Minors (“Use/Lose” Laws)—For Ages 17 and Under	
Is there a “use/lose” law that suspends or revokes a minor’s driving privileges for alcohol violations?	Yes
What types of violation lead to license suspension or revocation?	
• Purchase of alcohol	Yes
• Possession of alcohol	Yes
• Consumption of alcohol	Yes
The law applies to people under what age?	18
Is suspension or revocation mandatory or discretionary?	Mandatory
What is the length of suspension/revocation?	
Minimum number of days	365
Maximum number of days	365
Notes: In Tennessee, the driving privileges of an offender shall be suspended for 1 year, or until the offender reaches 17 years of age, whichever is longer.	

Graduated Driver’s Licenses	
Learner Stage	



What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	6
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	50 (10 of which must be at night)
<b>Intermediate Stage</b>	
What is the minimum age for driving without adult supervision?	16
For night driving, when does adult supervision requirement begin?	11:00 PM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes, officer may stop driver for night driving violation
Are there restrictions on passengers?	Yes, no more than one passenger, unless passengers are household members being transported to school or accompanied by parent or licensed driver 21 or older
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes, officer may stop driver for passenger restrictions violation
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	17

## Laws Targeting Alcohol Suppliers

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes
Are there exceptions based on family relationships?	
• Is furnishing allowed if the parent or guardian supplies the alcohol?	No
• Is furnishing allowed if the spouse supplies the alcohol?	No
Is there an exception based on location?	No
<b>Affirmative Defense for Sellers and Licensees</b>	
Does law require seller/licensee to be exonerated of furnishing to a minor if the minor has not been charged?	No

<b>Compliance Check Protocols</b>	
Does the state have a written protocol for when an underage decoy is used in compliance checks?	Yes
What is the minimum age a decoy may be to participate in a compliance check?	No data
What is the maximum age a decoy may be to participate in a compliance check?	20

Are there appearance requirements for the decoy?	Yes, shall not purposely disguise appearance so as to misrepresent the person's actual age
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Prohibited
Is decoy training mandated, recommended, prohibited, or not specified?	Not specified

<b>Penalty Guidelines for Sales to Minors</b>	
Are there written guidelines for penalties that are imposed on retailers for furnishing to a minor?	Yes
What is the time period for defining second, third and subsequent offenses?	2 years
What is the penalty for the first offense?	\$1,500 fine
What is the penalty for the second offense?	\$5,000 fine
What is the penalty for the third offense?	\$10,000 fine, possibility of suspension or revocation of license
What is the penalty for the fourth offense?	Not specified
Notes: The commission may, upon finding that a licensee has violated subdivision (d)(1) two (2) or more times during any two-year period, and for good cause shown, fine the licensee not more than ten thousand dollars (\$10,000) and require retraining of all employees of the licensee under the supervision of the commission in lieu of suspending or revoking the license of the licensee.	

<b>Responsible Beverage Service (RBS)–Voluntary</b>	
Is there a state law pertaining to Beverage Service Training?	Yes–Voluntary
If training is mandatory, who must participate?	N/A
If training is voluntary, which of the following incentives are offered?	
• Defense in dram shop liability lawsuits	No
• Discounts in dram shop liability insurance, license fees, or other	No
• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons	Yes
• Protection against license revocation for sales to minors or sales to intoxicated persons	Yes
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Off-Premises
Does the RBS law apply to new or existing licensees?	Not specified
Notes: Although the approval date of Tennessee's enacting legislation establishing a voluntary beverage service training program applicable to off-premises sale of beer was June 5, 2006, the program did not become fully implemented and enforceable until July 1, 2007. Note that prior to June 5, 2006, Tennessee had only a mandatory beverage service training program applicable to on-premises sales of alcoholic beverages.	

<b>Minimum Ages for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)</b>	
What is the minimum age requirement for off-premises retail establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

<b>Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)</b>	
What is the minimum age requirement for servers in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
What is the minimum age requirement for bartenders in on-premises establishments?	
Beer	18
Wine	18
Spirits	18
Does a manager or supervisor have to be present?	No

<b>Distance Limitations Applied to New Alcohol Outlets Near Universities, Colleges, and Primary and Secondary Schools</b>	
<b>Colleges and Universities</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A
<b>Primary and Secondary Schools</b>	
Is there a distance requirement for off-premises outlets (i.e., liquor stores)?	No
Is there a distance requirement for on-premises outlets (i.e., restaurants and bars)?	No
To which alcohol products does requirement apply?	N/A

<b>Dram Shop Liability</b>	
Does a statute create dram shop liability?	Yes
Does the statute limit damages that may be recovered?	No
Does the statute limit who may be sued?	No
Does the statute limit elements or standards of proof?	Yes (Fact finder must determine that retailer knew customer was a minor beyond a reasonable doubt.)
Does common law dram shop liability exist?	No

Social Host Liability	
Does a statute create social host liability?	No
Does the statute limit damages that may be recovered?	N/A
Does the statute limit who may be sued?	N/A
Does the statute limit elements or standards of proof?	N/A
Does common law social host liability exist?	No
Notes: Biscan v. Brown held that a property owner who does not furnish the alcohol may be held liable to third parties under common law if he/she knowingly allows minors to consume alcohol on his/her property and it is foreseeable that minors may then operate motor vehicles. In that case, the court held that the person who actually furnished the alcohol to the minor was shielded from liability under Tenn. Code Ann. § 57-10-101.	

Prohibitions Against Hosting Underage Drinking Parties	
Does a statute prohibit hosting underage drinking parties?	Yes
Is the statute specific to underage parties, or a general prohibition against permitting underage drinking on the property?	General
What action by underage guest triggers a violation?	Consumption
Property type covered by the law?	Residential/Outdoor/Other
What level of knowledge by the host is required?	Knowledge: Host must have actual knowledge of party
Does host's preventive action protect him/her from being held liable?	No
Are there any exceptions for underage guests?	No
Notes: Social host liability in Tennessee is limited to an owner, occupant, or other person having a lawful right to the exclusive use and enjoyment of property to knowingly allow an "underage adult" to consume alcoholic beverages, wine or beer on the property. An "underage adult" is defined as a person who is at least 18 years of age but less than 21 years of age. See Tenn. Code Ann. § 39-15-404	

Retailer Interstate Shipments of Alcohol	
Are out-of-state retailers prohibited from sending interstate shipments to in-state consumers?	
Beer	Prohibited
Wine	Prohibited
Spirits	Prohibited

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Wine
Must purchaser make mandatory trip to producer before delivery is authorized?	No
Age verification requirements	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	Yes
State approval/permit requirements	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	No

<b>Recording/reporting requirements</b>	
Must the producer/manufacturer record/report purchaser's name?	Yes
Must the common carrier (deliverer) record/report recipient's name?	Yes
<b>Shipping label requirements</b>	
Must the label state "Package contains alcohol"?	Yes
Must the label state "Recipient must be 21 years old"?	Yes

<b>Keg Registration</b>	
How is a keg defined (in gallons)?	No law
<b>Prohibitions</b>	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	No law
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	No law
<b>What purchaser information is collected?</b>	
Must the retailer collect the name and address?	No law
Must the retailer collect the ID number, name and address on license or other government information?	No law
Must the retailer collect the address at which keg will be consumed?	No law
Must warning information be given to purchaser?	No law
Is a deposit required?	No law
Does law cover disposable kegs?	No law

<b>Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	Yes
Wine	Yes
Spirits	Yes

<b>High-Proof Grain Alcohol Beverages</b>	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Laws Affecting Alcohol Pricing

<b>Alcohol Taxes</b>	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$1.29
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A

Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 3.2 – 6% alcohol beer if applicable	
<b>Wine</b>	
Control system for wine?	No
Specific excise tax per gallon for 12% alcohol wine	\$1.21
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	15.00%
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	15.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	Not relevant
<ul style="list-style-type: none"> <li>Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)</li> </ul>	Not relevant
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	No
Specific excise tax per gallon for 40% alcohol spirits	\$4.40
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A

Retail tax rate (if applicable)	15.00%
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	15.00%
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	N/A
Retail tax rate (if applicable)	N/A
If retail tax rate applies, is there an exemption from general sales tax?	No
• General sales tax rate	Not relevant
• Sales tax adjusted retail tax rate (the retail tax minus the general sales tax, where there is an exemption from the general sales tax)	Not relevant
Additional taxes for 15 – 50% alcohol spirits if applicable	

#### Low-Price, High-Volume Drink Specials

Are on-premises retailers prohibited from offering the following types of drink specials?	
Free beverages	Yes
Multiple servings at one time	Yes
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	Restricted (Permitted before 10 PM)
Unlimited beverages for fixed price	Yes
Increased volume without increase in price	Yes
Notes: After 10 PM, on-premises retailers may not offer multiple servings at one time, reduced price drinks, or drinks with increased volume for the same price as regular-sized drinks.	

#### Wholesaler Pricing Restrictions

<b>Beer</b>	
Are volume discounts to retailers allowed?	Banned
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	Post and Hold (360 days)
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	No
<b>Wine</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law

Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (10 days)
<b>Spirits</b>	
Are volume discounts to retailers allowed?	No law
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	No law
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	No law
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (10 days)



## Tennessee State Survey Responses

### State Agency Information

Agency with primary responsibility for enforcing underage drinking laws:

Tennessee Alcoholic Beverage Commission State Law Enforcement

### Enforcement Strategies

State law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

Local law enforcement agencies use:

Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes

State has a program to investigate and enforce direct sales/shipment laws Yes

Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors TN Alcoholic Beverage Commission

Such laws are also enforced by local law enforcement agencies No

### Enforcement Statistics

State collects data on the number of minors found in possession<sup>1</sup> Yes

Number of minors found in possession<sup>1</sup> by state law enforcement agencies 422

Number pertains to the 12 months ending 12/31/2018

Data include arrests/citations issued by local law enforcement agencies No

State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities Yes

Number of retail licensees in state<sup>3</sup> 5,930

Number of licensees checked for compliance by state agencies (including random checks) 2,465

Number of licensees that failed state compliance checks 413

Numbers pertain to the 12 months ending 12/31/2017

Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments Both on- and off-sale establishments

State conducts **random** underage compliance checks/decoy operations Yes

Number of licensees subject to **random** state compliance checks/decoy operations 2,285

Number of licensees that failed **random** state compliance checks 397

Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors Yes

Data are collected on these activities No

Number of licensees checked for compliance by local agencies Not applicable

Number of licensees that failed local compliance checks Not applicable

Numbers pertain to the 12 months ending Not applicable

### Sanctions

State collects data on fines imposed on retail establishments that furnish to minors Yes

Number of fines imposed by the state<sup>4</sup> 378

Total amount in fines across all licensees \$603,630

Smallest fine imposed \$1,000

Largest fine imposed \$10,000

Numbers pertain to the 12 months ending 12/31/2017

<i>State collects data on license suspensions imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of suspensions imposed by the state <sup>5</sup>	41
Total days of suspensions across all licensees	362
Shortest period of suspension imposed (in days)	3
Longest period of suspension imposed (in days)	30
Numbers pertain to the 12 months ending	12/31/2017
<i>State collects data on license revocations imposed on retail establishments specifically for furnishing to minors</i>	Yes
Number of license revocations imposed <sup>6</sup>	2
Numbers pertain to the 12 months ending	12/31/2017

**Additional Clarification**

No data

<sup>1</sup> Or having consumed or purchased per state statutes.

<sup>2</sup> Underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors.

<sup>3</sup> Excluding special licenses such as temporary, seasonal, and common carrier licenses.

<sup>4</sup> Does not include fines imposed by local agencies.

<sup>5</sup> Does not include suspensions imposed by local agencies.

<sup>6</sup> Does not include revocations imposed by local agencies.

**Underage Drinking Prevention Programs Operated or Funded by the State**

**Tennessee Prevention Network**

Number of youth served	7,000
Number of parents served	130
Number of caregivers served	40
Program has been evaluated	Yes
Evaluation report is available	No
URL for evaluation report:	Not applicable
URL for more program information:	No data

**Program Description:** The Tennessee Prevention Network is a statewide prevention program directed at providing primary prevention services to individuals who have not been determined to require treatment for substance abuse. The array of services falls into two categories:

1. Selective prevention services which include programs and practices that are delivered to subgroups of individuals identified on the basis of their membership in a group that has an elevated risk for developing substance abuse problems. An individual’s personal risk is not specifically assessed or identified and is based solely on a presumption given his or her membership in the at-risk subgroup.
2. Indicated prevention services which include programs that focus on populations identified on the basis of individual risk factors or initiation behaviors that put an individual at high risk for developing substance abuse problems. Individuals targeted at this stage, although showing signs of early substance use, have not yet reached the point where a clinical diagnosis of substance abuse can be made.

**Additional Underage Drinking Prevention Programs Operated or Funded by the State**

**Program description:** No data

**Additional Clarification**

No data

**Additional Information Related to Underage Drinking Prevention Programs**

*State collaborates with federally recognized tribal governments in the prevention of underage drinking* No recognized tribal governments

Description of collaboration: Not applicable

*State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing* Yes

Description of program: The State of Tennessee Department of Mental Health and Substance Abuse Services; Division of Substance Abuse Services; Office of Prevention funds 46 community coalitions using Block Grant, discretionary, and state dollars. These coalitions use environmental strategies intended to reduce or counter alcohol advertising or marketing.

<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns:	No
Regional and local media campaigns: TN Together and regional campaigns led by regional partners	Yes
Local school district efforts:	No
Other:	No
<i>State collaborates with/participates in SAMHSA's national media campaign, "Talk. They Hear You."</i>	Yes
State officially endorses TTHY efforts	Yes
State commits state resources for TTHY	No
State forwards TTHY materials to local areas	Yes
Other:	No
<i>State procures funding for TTHY</i>	No
Pro bono	No
Donated air time	No
Earned media	No
Other:	No
<i>State has adopted or developed best practice standards for underage drinking prevention programs</i>	Yes
Agencies/organizations that established best practices standards:	
Federal agency(ies):	No
Agency(ies) within your state: TN Dept. of Mental Health and Substance Abuse Services; Division of Substance Abuse Services	Yes
Nongovernmental agency(ies):	No
Other: Tennessee Evidence-Based Practice Workgroup	Yes
Best practice standards description: Tennessee's Evidence-Based Practice Workgroup has established standards for evidence-based best practices such that a practice must meet at least one of the following criteria:	
1. Inclusion in federal registries of evidence-based interventions.	
2. Reported with positive effects on the primary targeted outcome in peer-reviewed journals.	
3. Documented effectiveness supported by other information sources and the consensus of informed experts as described in the following set of guidelines, all of which must be met:	
<i>Guideline 1:</i> The intervention is demonstrated to be similar in theory of change, general principles of effective prevention, or content and structure to the interventions that appear in registries, federal agency publications, and/or peer reviewed literature.	
<i>Guideline 2:</i> The intervention is supported by documentation of effective implementation in the past, including at least one replication.	
<i>Guideline 3:</i> The intervention is reviewed and deemed appropriate by six or more informed prevention experts, including well-qualified prevention researchers who are experienced in evaluating prevention interventions similar to those under review.	

#### Additional Clarification

No data

#### State Interagency Collaboration

*A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities* Yes

**Committee contact information:**

Name: Anthony Jackson  
 Email: anthony.jackson@tn.gov  
 Address: 500 Deaderick St, 5th floor, Nashville, TN 37243  
 Phone: 615-532-3914

**Agencies/organizations represented on the committee:**

TDMHSAS-funded community coalitions and providers that participate in the Tennessee Prevention Advisory Council

**Additional Agencies/organizations:**

A website or other public source exists to describe committee activities No  
 URL or other means of access: Not applicable

**Underage Drinking Reports**

State has prepared a plan for preventing underage drinking in the last 3 years Yes  
 Prepared by: Tennessee State Epidemiological and Outcomes Workgroup  
 Plan can be accessed via: No data

State has prepared a report on preventing underage drinking in the last 3 years Yes  
 Prepared by: An analysis of the TN Together Student Survey - Project Evaluator - Evaluation, Management and Training  
 Report can be accessed via: No data

**Additional Clarification**

No data

**State Expenditures for the Prevention of Underage Drinking**

**Compliance checks in retail outlets:**

Estimate of state funds expended Data not available  
 Estimate based on the 12 months ending Data not available

**Checkpoints and saturation patrols:**

Estimate of state funds expended Data not available  
 Estimate based on the 12 months ending Data not available

**Community-based programs to prevent underage drinking:**

Estimate of state funds expended \$1,050,000  
 Estimate based on the 12 months ending 06/30/2019

**K-12 school-based programs to prevent underage drinking:**

Estimate of state funds expended \$1,700,000  
 Estimate based on the 12 months ending 06/30/2019

**Programs targeted to institutes of higher learning:**

Estimate of state funds expended \$147,922  
 Estimate based on the 12 months ending 06/30/2019

**Programs that target youth in the juvenile justice system:**

Estimate of state funds expended \$350,000  
 Estimate based on the 12 months ending 06/30/2019

**Programs that target youth in the child welfare system:**

Estimate of state funds expended \$250,000  
 Estimate based on the 12 months ending 06/30/2019

**Other programs:**

Programs or strategies included: Other programs include educational programs that target youth that are economically disadvantaged.  
 Estimate of state funds expended: \$750,000  
 Estimate based on the 12 months ending: 06/30/2019

**Funds Dedicated to Underage Drinking**

*State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	No
Fines	No
Fees	No
Other: Not applicable	No

*Description of funding streams and how they are used:*

Not applicable

**Additional Clarification**

No data



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