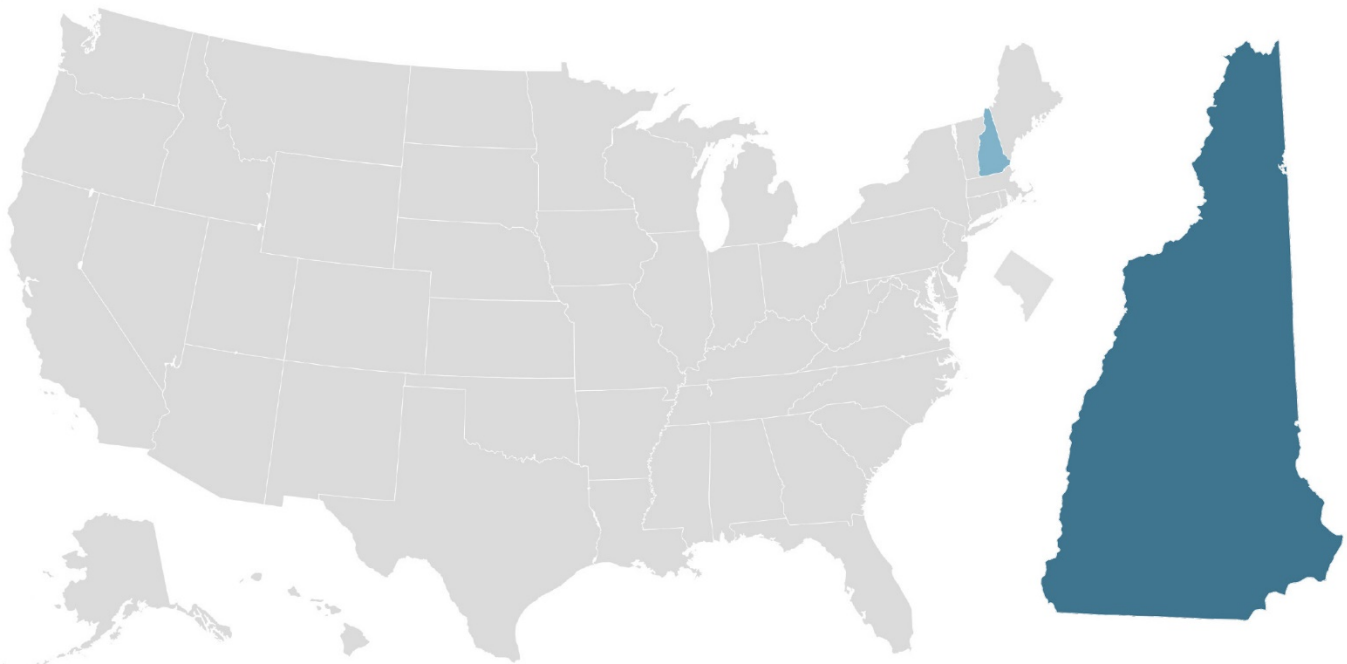




**SAMHSA**  
Substance Abuse and Mental Health  
Services Administration

**New Hampshire**

# 2021 STATE REPORTS – UNDERAGE DRINKING PREVENTION AND ENFORCEMENT



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

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 2020. Regional and state profile data were drawn from the most recently available federal survey data as of 2019. State legal data reflect the status of the law as of January 1, 2020. State survey data, collected in 2020, 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 2016 through 2019 National Surveys on Drug Use and Health (NSDUH), the Substance Abuse and Mental Health Services Administration’s Center for Behavioral Health Statistics and Quality (CBHSQ), and the NSDUH special data analysis (2020). 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 2011–2015 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 2019 data used to present statistics about fatalities among 15- to 20-year-old drivers.

**Recommended Citation:** U.S. Department of Health and Human Services (HHS), Substance Abuse and Mental Health Services Administration (SAMHSA; 2021). *2021 New Hampshire State Report – Underage Drinking Prevention and Enforcement*. Rockville, MD: SAMHSA.

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# NEW HAMPSHIRE



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

THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)



## New Hampshire

State Population: 1,359,711

Population Ages 12–20: 144,000

Past-Month Alcohol Use	
<b>Ages 12–20</b>	
Past-Month Alcohol Use – Number (Percentage)	34,000 (23.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	22,000 (15.3%)
<b>Ages 12–14</b>	
Past-Month Alcohol Use – Number (Percentage)	1,000 (1.4%)
Past-Month Binge Alcohol Use – Number (Percentage)	<1,000 (0.2%)
<b>Ages 15–17</b>	
Past-Month Alcohol Use – Number (Percentage)	9,000 (18.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	5,000 (9.8%)
<b>Ages 18–20</b>	
Past-Month Alcohol Use – Number (Percentage)	25,000 (50.1%)
Past-Month Binge Alcohol Use – Number (Percentage)	0 (*%)
<b>Adults Ages 18 +</b>	
Past-Month Alcohol Use – (Percentage)	(67.0%)
Past-Month Binge Alcohol Use – (Percentage)	(29.8%)
Age of Initiation of Alcohol Use	
Average Age of Initiation	16.2
Alcohol-Related Deaths	
Alcohol-Attributable Deaths (under 21)	9
Years of Potential Life Lost (under 21)	514
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%	0
Percentage of All Fatal Crashes Involving a 15- to 20-Year-Old Driver	(5%)

<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.

## Substance Abuse System Overview<sup>15</sup>

The Bureau of Drug and Alcohol Services (BDAS) sits within the New Hampshire Department of Health and Human Services (DHHS), Division for Behavioral Health (DBH). Also included under the DBH umbrella are the Bureau of Children’s Behavioral Health, Bureau of Mental Health Services, and the Policy Section.

BDAS is responsible for managing the federal substance abuse prevention and treatment block grant (SABG), which is its primary funding source, as well as the administration of a full continuum of substance misuse services under contract with DHHS that are supported by resources from the Substance Abuse and Mental Health Services Administration (SAMHSA; SABG, Medication Assisted Treatment – Prescription Drug and Opioid Addiction, State Targeted Response to the Opioid Crisis, and State Opioid Response) and the Governor’s Commission on Alcohol and Drug Abuse Prevention, Treatment and Recovery. BDAS provides administrative/regulatory oversight, on behalf of DHHS, over the private for-profit methadone clinics (opioid treatment programs) and all impaired driving programs in the state. BDAS also serves as DHHS’s subject matter resource for alcohol and drugs and for managing alcohol- and drug-related public awareness efforts and training and technical assistance resources for prevention, treatment, and recovery services.

BDAS has a primary role in representing DHHS in concert with numerous stakeholders from the public and private sector at both the state and local level that are working together to implement the Governor’s Commission plan for the state. This plan utilizes a comprehensive public health approach to address the misuse of alcohol and drugs in New Hampshire.

The following four units structure BDAS internally and work to carry out BDAS’ mission and to join individuals, families, and communities in reducing alcohol and other drug problems, thereby increasing opportunities for citizens to achieve health and independence:

- Prevention Services.
- Clinical Services, including Impaired Driver Services.
- Resources and Development.
- Business and Financial Service.

### Prevention and Treatment Services

NH’s prevention structures and efforts are supported by public and private partnerships that provide additional funds toward prevention. The New Hampshire Charitable Foundation invests approximately \$3 million per year to “reduce the burden caused to the citizens of New Hampshire by alcohol, tobacco, and other drugs.” Core to the strategy is policy and advocacy to improve public financing, research, and evaluation of best practices in substance use disorder (SUD) services, as well as funding for proven strategies. In 2012, the foundation approved a 10-year strategy dedicated to the prevention of SUD. Approximately \$1.2 million per year will be allocated from the portfolio in furtherance of this strategy. This strategy is implemented in close

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<sup>15</sup> Extracted from fiscal year (FY) 2020/2021 – (New Hampshire) 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 (CSAT), Division of State and Community Assistance: Planning Step One. Assess the strengths and needs of the service system to address the specific populations.

partnership with DHHS. This includes strategic co-funding, integrated planning, and reporting systems for grantees.

Substance Misuse Prevention (SMP) Coordinators are positioned within each of the state's 13 regions. SMP Coordinators utilize the Strategic Prevention Framework Model (assessment, capacity, planning, implementation, and evaluation), a data-driven public health approach, to address the misuse of alcohol and drugs in their area, by convening and collaborating with the core sectors (local government, education, community organizations, safety, businesses, health/medical) to increase service capacity and to reduce "factors that put people, families, and communities at risk" and increase "factors that protect people, families, and communities" in the prevention of misuse of alcohol and drugs.

SMP Coordinators participate with the regions' Public Health Advisory Group, a high-level leadership council, and their Community Health Improvement Plan to improve health outcomes and coordination with the Integrated Delivery Networks (NH's 1115 Waiver) within their regions.

BDAS provides treatment and recovery support services to individuals with SUD who are residents of or homeless in New Hampshire, who are under 400% of Federal Poverty level, and who do not have public or private insurance that will pay for the required services. Contracted services include outpatient, intensive outpatient, partial hospitalization, transitional living, low and high intensity residential treatment services, withdrawal management, and medication-assisted treatment. These contracts also fund specialty outpatient, intensive outpatient, and residential services for pregnant and parenting women and their children. All treatment providers are strongly encouraged to enroll and credential with public and private insurers in an effort to better support patients and their ability to access available services.

New Hampshire boasts a very robust Medicaid benefit for SUD treatment and recovery support services (<https://www.dhhs.nh.gov/ombp/sud/documents/sud-billable-services.pdf>). Previously, New Hampshire utilized a premium assistance program model that limited the access of some beneficiaries to these benefits; however, as of January 1, 2019, all beneficiaries either are in Medicaid managed care or fee-for-service models with access to the full range of SUD benefits. Furthermore, a new managed care contract was recently approved by Governor and Executive Council that makes significant improvements to the requirements for all behavioral health services, including SUD treatment, services for substance-exposed infants and their caregivers, and social determinants of health. BDAS coordinates closely with the Division of Medicaid Services in the design and administration of the SUD benefit.

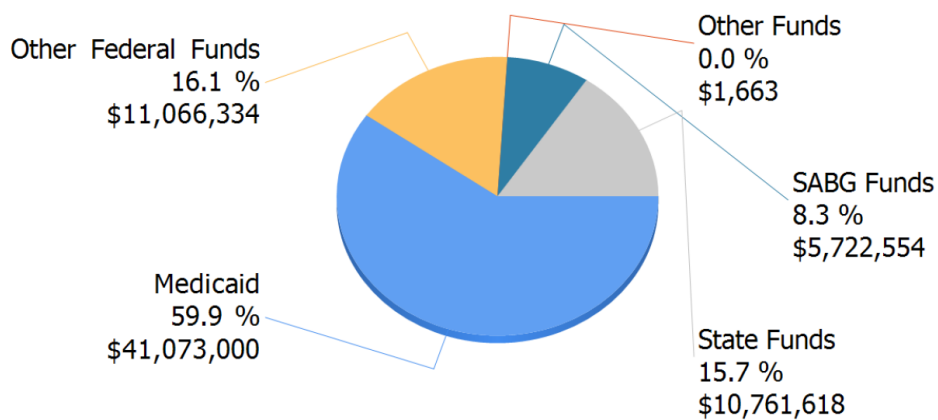
Regardless of the payor source, New Hampshire law requires all providers of SUD services to utilize American Society of Addiction Medicine criteria to determine the initial level of care for an individual as well as to make decisions about continuing care, transferring care, or discharging from care. When the identified level of care is not immediately available, contracted treatment providers are required to offer interim services to support the individual while they wait for the appropriate level of care. These services include group counseling, individual counseling, recovery support services, and community-based services. To assist providers with meeting these requirements as well as to improve overall client care, BDAS sponsors a community of practice for treatment providers to connect clinicians and other providers with the opportunity to gain knowledge and information and share experiences related to improving services for individuals with SUD.

## Expenditures for Substance Abuse Prevention and Treatment

All states receive federal funds for substance abuse prevention through the SABG administered by SAMHSA. Exhibit 1 shows the sources that New Hampshire used for expenditures on substance abuse prevention and treatment in 2020. As indicated, Medicaid funds and other federal funds account for the largest sources (59.9 percent and 16.1 percent, respectively).<sup>16</sup>

States submit Behavioral Assessment and Plan reports that include their priorities for use of SABG funds, as well as planned expenditures. For FY 2020–2021, New Hampshire designated the reduction of youth misuse of alcohol and other drugs as priority number three for use of SABG funds.<sup>17</sup>

**Exhibit 1: Sources of New Hampshire’s 2020 Expenditures for Substance Abuse Prevention and Treatment**



<sup>16</sup> WebBGAS State Profile, 2020 SABG and Community Mental Health Block Grant (MHBG) Reports – New Hampshire 2020.

<sup>17</sup> FY 2020/2021 – (New Hampshire) State Behavioral Assessment and Plan, SABG, CSAP, Division of State Programs, CSAT, 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 New Hampshire'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 underage drinking prevention policies have been identified as best practices (or as promising practices suitable for ongoing evaluation) and fall into six categories:

1. Underage possession or purchase of alcohol.
2. Underage drinking and driving.
3. Alcohol availability.
4. Sales and delivery to consumers at home.
5. Alcohol pricing.
6. Enforcement policies.

***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.



## Underage Possession or Purchase of Alcohol

Underage Possession	
Is underage possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is possession allowed if parent or guardian is present or consents?</li> <li>• Is possession allowed if spouse is present or consents?</li> </ul>	No
Is there an exception based on location?	No

Underage Consumption	
Is underage consumption of alcoholic beverages prohibited?	No law
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is consumption allowed if parent or guardian is present or consents?</li> <li>• Is consumption allowed if spouse is present or consents?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Is consumption allowed if the parent or guardian is present or consents?</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Is consumption allowed if the spouse is present or consents?</li> </ul>	N/A
Is there an exception based on location?	N/A

Underage Internal Possession	
Is underage internal possession of alcoholic beverages prohibited?	Yes
Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is internal possession allowed if parent or guardian is present or consents?</li> <li>• Is internal possession allowed if spouse is present or consents?</li> </ul>	No
Is there an exception based on location?	No

Underage Purchase and Attempted Purchase	
Is the purchase of alcoholic beverages prohibited?	Yes
May youth purchase for law enforcement purposes?	No

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
<b>Provisions Targeting Suppliers</b>	
Is the lending or transferring or selling of a false ID prohibited?	Yes
Is the production of a false ID in the context of underage alcohol sales specifically prohibited?	No
<b>Retailer Support Provisions</b>	
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 the retailer 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
<ul style="list-style-type: none"> <li>Is it a specific affirmative defense (retailer reasonably believed ID was valid after examining it)?</li> </ul>	Yes
<ul style="list-style-type: none"> <li>Is it a general affirmative defense (retailer reasonably believed purchaser was over 21)?</li> </ul>	No
Does the retailer have the right to sue the minor for use of a false ID?	Yes
May the retailer detain a minor who used a false ID?	No

### Underage Drinking and Driving

<b>Youth Blood Alcohol Concentration Limits (Underage Operators of Noncommercial Motor Vehicles)</b>	
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?	0
What is the maximum age to which the limit applies?	21

<b>Loss of Driving Privileges for Alcohol Violations by Minors ("Use/Lose" Laws)</b>	
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	No
The law applies to people under what age?	21
Is suspension or revocation mandatory or discretionary?	Discretionary
What is the length of suspension/revocation?	
Minimum number of days	90
Maximum number of days	365
Notes: Although New Hampshire does not authorize a Use/Lose penalty for all underage consumption, a law imposes a discretionary license sanction on minors who are "intoxicated by consumption of an alcoholic beverage," and provides that an alcohol concentration "of .02 or more shall be prima facie evidence of intoxication." See N.H. Rev. Stat. Ann. §§ 179:10(I), 263:56-b.	

<b>Graduated Driver's Licenses</b>	
<b>Learner Stage</b>	
What is the minimum age for permit to drive with parents, guardians, or other adults (other than instructors)?	15 years, 6 months
What is the minimum number of months driver must hold learner permit before advancing to intermediate stage?	0
What is the minimum number of hours of driving with parents, guardians, or adults before advancing to intermediate stage?	40 (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?	1:00 AM
Can law enforcement stop a driver for night driving violation as a primary offense?	Yes
Are there restrictions on passengers?	Yes; no more than one nonfamily passenger under 25, unless accompanied by driver over 25.
Can law enforcement stop driver for violation of passenger restrictions as a primary offense?	Yes
<b>License Stage</b>	
What is the minimum age for full license privileges and lifting of restrictions?	18 (Passenger restrictions expire after 6 months; unsupervised night driving restrictions remain until age 18)

### Alcohol Availability

<b>Furnishing Alcohol to Minors</b>	
Is furnishing of alcoholic beverages to minors prohibited?	Yes

Are there exceptions based on family relationships?	
<ul style="list-style-type: none"> <li>• Is furnishing allowed if the parent or guardian supplies the alcohol?</li> <li>• Is furnishing allowed if the spouse supplies the alcohol?</li> </ul>	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>Responsible Beverage Service (RBS)-Mandatory</b>	
Is there a state law pertaining to Beverage Service Training?	Yes, mandatory
If training is mandatory, who must participate?	Manager
If training is voluntary, which of the following incentives are offered?	
<ul style="list-style-type: none"> <li>• Defense in dram shop liability lawsuits</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Discounts in dram shop liability insurance, license fees, or other</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons</li> </ul>	N/A
<ul style="list-style-type: none"> <li>• Protection against license revocation for sales to minors or sales to intoxicated persons</li> </ul>	N/A
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	New

<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?	
<ul style="list-style-type: none"> <li>• Defense in dram shop liability lawsuits</li> </ul>	Yes
<ul style="list-style-type: none"> <li>• Discounts in dram shop liability insurance, license fees, or other</li> </ul>	No
<ul style="list-style-type: none"> <li>• Mitigation of fines or other administrative penalties for sales to minors or intoxicated persons</li> </ul>	No

• Protection against license revocation for sales to minors or sales to intoxicated persons	No
Does the RBS law apply to on-premises establishments (such as bars and restaurants) or off-premises establishments (such as liquor stores)?	Both
Does the RBS law apply to new or existing licensees?	Both

Minimum Age for Sellers of Alcohol – Off-Premises (i.e., Liquor Stores)	
What is the minimum age requirement for off-premises retail establishments?	
Beer	16
Wine	16
Spirits	16
Does a manager or supervisor have to be present when an underage person is selling beverages?	Yes
Notes: To act as a cashier in a selling capacity, a minor is required to be at least 16 years of age, and a person at least 18 years of age must be in attendance and must be designated in charge of the employees and business.	

Minimum Age for Alcohol Servers and Bartenders – On-Premises (i.e., Restaurants and Bars)	
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 when an underage person is selling beverages?	No

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

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?	No
Does common law dram shop liability exist?	No
Notes: N.H. Rev. Stat. § 507-F:6 includes a responsible beverage service defense.	

<b>Social Host Liability</b>	
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?	Yes
Notes: N.H. Rev. Stat. § 507-F:6 includes a responsible beverage service defense.	

<b>Prohibitions Against Hosting Underage Drinking Parties</b>	
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?	Specific
What action by underage guest triggers a violation?	Intention/possession/consumption
Property type covered by the law?	Residential/outdoor/other
What level of knowledge by the host is required?	Overt act (Host must have actual knowledge and commit act that contributes to party's occurrence)
Does host's preventive action protect him/her from being held liable?	Yes
Are there any exceptions for underage guests?	Yes, family members
Notes: In New Hampshire, an "underage alcohol house party" means a gathering of five or more people under the age of 21 at any occupied structure, dwelling, or curtilage, where at least one person under the age of 21 unlawfully possesses or consumes an alcoholic beverage. A person is guilty of a misdemeanor if he or she owns or has control of the occupied structure, dwelling, or curtilage where an underage alcohol house party is held and he or she knowingly commits an overt	

act in furtherance of the occurrence of the underage alcohol house party knowing persons under the age of 21 possess or intend to consume alcoholic beverages. The "preventive action" provision in New Hampshire allows the defendant to avoid criminal liability by establishing, as an affirmative defense, that he or she took preventive action with respect to the underage alcohol house party.

Keg Registration	
How is a keg defined (in gallons)?	More than 7.00
Prohibitions	
Is it illegal to possess an unregistered or unlabeled keg and if so, what is the penalty?	Yes (maximum fine \$1,000)
Is it illegal to destroy the label on a keg, and if so, what is the penalty?	Yes (maximum fine \$1,000)
What purchaser information is collected?	
Must the retailer collect the name and address?	Yes
Must the retailer collect the ID number, name and address on license or other government information?	Yes
Must the retailer collect the address at which keg will be consumed?	No
Must warning information be given to purchaser?	Active (requires action by purchaser)
Is a deposit required?	No
Does law cover disposable kegs?	No

High-Proof Grain Alcohol Beverages	
Are there restrictions on the sale of high-proof grain alcohol beverages?	No; however, this state is a control state, and control states may impose additional restrictions on the sale of products that are not reflected in statute or regulation.
Are restrictions based on Alcohol by Volume (ABV)?	N/A
Are there exceptions to restrictions?	N/A

## Sales and Delivery to Consumers at Home

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

Direct Shipments/Sales	
May alcohol producers ship directly to consumers?	Yes
What alcohol types may be shipped?	Beer, wine, distilled spirits
Must purchaser make mandatory trip to producer before delivery is authorized?	No

<b>Age verification requirements</b>	
Must the producer/shipper verify purchaser's age before sale?	No
Must the common carrier (deliverer) verify age of recipients?	No
<b>State approval/permit requirements</b>	
Must the producer/manufacture obtain state license or permit?	Yes
Must the common carrier (deliverer) be approved by a state agency?	Yes
<b>Recording/reporting requirements</b>	
Must the producer/manufacture 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>Home Delivery</b>	
Is home delivery of alcohol permitted?	
Beer	Permitted
Wine	Permitted
Spirits	No Law

## Alcohol Pricing

<b>Alcohol Taxes</b>	
<b>Beer</b>	
Control system for beer?	No
Specific excise tax per gallon for 5% alcohol beer	\$0.30
Ad valorem excise tax (for on-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
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
Ad valorem excise tax (for off-premises sales) on total receipts for 5% alcohol beer	
Wholesale tax rate (if applicable)	



Retail tax rate (if applicable)	
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?	Yes
Specific excise tax per gallon for 12% alcohol wine	
Ad valorem excise tax (for on-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<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>	
Ad valorem excise tax (for off-premises sales) on total receipts for 12% alcohol wine	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	
<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>	
Additional taxes for 6 – 14% alcohol wine if applicable	
<b>Spirits</b>	
Control system for spirits?	Yes
Specific excise tax per gallon for 40% alcohol spirits	
Ad valorem excise tax (for on-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	
<ul style="list-style-type: none"> <li>• General sales tax rate</li> </ul>	

<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>	
Ad valorem excise tax (for off-premises sales) on total receipts for 40% alcohol spirits	
Wholesale tax rate (if applicable)	
Retail tax rate (if applicable)	
If retail tax rate applies, is there an exemption from general sales tax?	
<ul style="list-style-type: none"> <li>General sales tax rate</li> </ul>	
<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>	
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	No
Multiple servings for same price as single serving	No
Reduced price for a specified day or time (i.e., happy hours)	No
Unlimited beverages for fixed price	No
Increased volume without increase in price	No

Wholesaler Pricing Restrictions	
<b>Beer</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?	Post
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	Yes (10 days)
<b>Wine</b>	Control System
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A

Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
<b>Spirits</b>	<b>Control System</b>
Are volume discounts to retailers allowed?	N/A
Must wholesalers establish a minimum markup or maximum discount for each product sold to retailers?	N/A
Must wholesalers publicly post and hold (i.e., not reduce) prices for a set period of time?	N/A
Is wholesaler permitted to extend credit to retailer and if so, what is the maximum time period?	N/A
Notes: Wholesalers are required to make their current beer prices available to the commission in writing.	

### Enforcement Policies

Compliance Check Protocols	
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?	16
What is the maximum age a decoy may be to participate in a compliance check?	19
Are there appearance requirements for the decoy?	Yes, females should wear little to no makeup, wear casual attire, and be of an average height and build. Males should have no facial hair, wear casual attire, and be of average height and build.
Does decoy carry ID during compliance check?	Required
May decoy verbally exaggerate his or her actual age?	Not specified
Is decoy training mandated, recommended, prohibited, or not specified?	Mandated

Penalty Guidelines for Sales to Minors	
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?	\$500 fine, 4 license points, 3-day suspension (for non-compliance check violations)
What is the penalty for the second offense?	N/A
What is the penalty for the third offense?	N/A
What is the penalty for the fourth offense?	N/A
Notes: Mitigating and aggravating factors considered. Only one compliance check annually shall incur license points.	

## New Hampshire State Survey Responses

State Agency Information	
<i>Agency with primary responsibility for enforcing underage drinking laws:</i>	
The New Hampshire Liquor Commission, Division of Enforcement	
Enforcement Strategies	
<i>State law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes
<i>Local law enforcement agencies use:</i>	
Cops in Shops	No
Shoulder Tap Operations	No
Party Patrol Operations or Programs	No
Underage Alcohol-Related Fatality Investigations	Yes
<i>State has a program to investigate and enforce direct sales/shipment laws</i>	
Primary state agency responsible for enforcing laws addressing direct sales/shipments of alcohol to minors	No data
Such laws are also enforced by local law enforcement agencies	No data
Enforcement Statistics	
<i>State collects data on the number of minors found in possession</i>	
Number of minors found in possession <sup>1</sup> by state law enforcement agencies	135
Number pertains to the 12 months ending	12/31/2019
Data include arrests/citations issued by local law enforcement agencies	No
<i>State conducts underage compliance checks/decoy operations<sup>2</sup> to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of retail licensees in state <sup>3</sup>	3,476
Number of licensees checked for compliance by state agencies (including random checks)	1,173
Number of licensees that failed state compliance checks	212
Numbers pertain to the 12 months ending	12/31/2019
Compliance checks/decoy operations conducted at on-sale, off-sale, or both retail establishments	Both on- and off-sale establishments
<i>State conducts <b>random</b> underage compliance checks/decoy operations</i>	
Number of licensees subject to <b>random</b> state compliance checks/decoy operations	953
Number of licensees that failed <b>random</b> state compliance checks	199
<i>Local agencies conduct underage compliance checks/decoy operations to determine whether alcohol retailers are complying with laws prohibiting sales to minors</i>	
Data are collected on these activities	Yes
Number of licensees checked for compliance by local agencies	953
Number of licensees that failed local compliance checks	199
Numbers pertain to the 12 months ending	12/31/2019
Sanctions	
<i>State collects data on fines imposed on retail establishments that furnish to minors</i>	
Number of fines imposed by the state <sup>4</sup>	4
Total amount in fines across all licensees	\$4,500
Smallest fine imposed	\$500
Largest fine imposed	\$1,500
Numbers pertain to the 12 months ending	12/31/2019

<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>	4
Total days of suspensions across all licensees	No data
Shortest period of suspension imposed (in days)	No data
Longest period of suspension imposed (in days)	No data
Numbers pertain to the 12 months ending	12/31/2019
<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>	0
Numbers pertain to the 12 months ending	12/31/2019

**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**

**Life of An Athlete**

Number of youth served	3,500
Number of parents served	500
Number of caregivers served	Not applicable
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	No data
URL for more program information	No data

**Program Description:** The Life of An Athlete (LOA) program is a comprehensive, multicomponent prevention program that empowers and motivates youth participating in athletics and leadership programs to make healthy choices and decisions by educating them on the impact that alcohol and other drugs have on performance. The program blends prevention and athletics together, focusing on the immediate impact that lifestyle choices have on athletic performance with an emphasis on understanding the impact alcohol, other drugs, and tobacco have on success in academics and athletics. The program is administered by the New Hampshire Interscholastic Athletic Association, the staff of which recruit schools to implement the program and train school personnel, including the athletes and other student leaders, on how to implement the program.

**Student Assistance Program-Project CONNECT**

Number of youth served	22,000
Number of parents served	11,000
Number of caregivers served	Not applicable
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:** Student Assistance Program (SAP) services administered by the Bureau of Drug and Alcohol Services are based on the Project SUCCESS evidence-based practice. The program is designed to prevent and

reduce alcohol and other drug misuse among students ages 12 to 25. The school-based program combines schoolwide alcohol and other drug prevention awareness activities, classroom-based prevention education, individual and group counseling sessions for students, parent education, and referral to community resources. The program reaches middle and high schools as well as colleges and universities using trained SAP counselors to deliver the services.

**The NH Juvenile Diversion Program**

Number of youth served	93
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	Yes
Evaluation report is available	Yes
URL for evaluation report	No data
URL for more program information	No data

**Program Description:** The New Hampshire Juvenile Diversion Network is contracted to expand capacity to underserved regions and to incorporate evidence-based screening, brief intervention, and referral to treatment into programming. There are currently 16 accredited Juvenile Court Diversion Programs that hold youth accountable for disruptive behavior while ensuring they benefit from education and support services to reduce the youth’s involvement with the law enforcement and judicial systems. New Hampshire RSA169 Delinquent Children-B:10 Juvenile Diversion includes provisions for police and courts to refer first-time offenders to accredited diversion services. Whether housed in police departments, governmental systems, or community-based organizations, New Hampshire’s Juvenile Court Diversion Programs share common goals, core values, and an evidence base for strategies and practices being implemented across the state.

**Regional Public Health Network**

Number of youth served	300,000
Number of parents served	Not applicable
Number of caregivers served	Not applicable
Program has been evaluated	No
Evaluation report is available	Not applicable
URL for evaluation report	Not applicable
URL for more program information	No data

**Program Description:** The Bureau of Drug and Alcohol Services (BDAS) supported resources in each of the 13 Regional Public Health Networks that facilitate a community approach to address the misuse of alcohol and drugs and increase access to care. Each network completed an alcohol and other drug misuse and disorders services assets and gaps assessment. Additionally, they have created a three-year plan that addresses the misuse of alcohol and other drugs and the related consequences for individuals, families, and communities.

Substance misuse prevention coordinators and continuum of care facilitators convene and collaborate with local government, education, community organizations, safety, businesses, and health organizations and sectors in communities to 1) increase access to needed services and address the factors that protect people, families, and communities, and 2) reduce the factors that put these groups at risk for the misuse of alcohol and drugs. They also participate with the region’s Public Health Advisory Council to provide priorities for their Community Health Improvement Plan and coordinate with the Integrated Delivery Networks within their network.

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

No data

**Additional Clarification**

No data

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

<i>State collaborates with federally recognized tribal governments in the prevention of underage drinking</i>	No recognized tribal governments
Description of collaboration: Not applicable	
<i>State has programs to measure and/or reduce youth exposure to alcohol advertising and marketing</i>	No
Description of program: Not applicable	
<i>State collaborates with/participates in media campaigns to prevent underage drinking</i>	Yes
Federal campaigns:	No
Regional and local media campaigns: Partnership for Drug Free NH	Yes
Local school district efforts: Student Assistance Programs	Yes
Other:	No
<i>State collaborates with/participates in SAMHSA’s national media campaign, “Talk. They Hear You.” (TTHY)</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	Not applicable
Donated air time	Not applicable
Earned media	Not applicable
Other:	Not applicable
<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 data
Agency(ies) within your state:	No data
Nongovernmental agency(ies):	No data
Other:	No data
Best practice standards description: No data	

**Additional Clarification**

No data

**State Interagency Collaboration**

<i>A state-level interagency governmental body/committee exists to coordinate or address underage drinking prevention activities</i>	Yes
<i>Committee contact information:</i>	
Name: Annette Escalante	
Email: Annette.Escalante@dhhs.nh.gov	
Address: 105 Pleasant Street, Concord, NH 03301	
Phone: No data	
<i>Agencies/organizations represented on the committee:</i>	
All State agencies	
NH National Guard	
Citizen Representatives	
<i>A website or other public source exists to describe committee activities</i>	Yes
URL or other means of access: <a href="https://nhcenterforexcellence.org">https://nhcenterforexcellence.org</a>	



**Underage Drinking Reports**

<i>State has prepared a plan for preventing underage drinking in the last three years</i>	Yes
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Prepared by: NH Governor's Commission on Alcohol and Other Drugs

Plan can be accessed via: <https://nhcenterforexcellence.org>

<i>State has prepared a report on preventing underage drinking in the last three years</i>	No
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Prepared by: Not applicable

Report can be accessed via: Not applicable

**Additional Clarification**

No data

**State Expenditures for the Prevention of Underage Drinking***Compliance checks in retail outlets:*

Estimate of state funds expended	\$20,000
Estimate based on the 12 months ending	12/31/2019

*Checkpoints and saturation patrols:*

Estimate of state funds expended	\$0
Estimate based on the 12 months ending	12/31/2019

*Community-based programs to prevent underage drinking:*

Estimate of state funds expended	\$3,500,000
Estimate based on the 12 months ending	06/30/2020

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

Estimate of state funds expended	\$1,400,000
Estimate based on the 12 months ending	06/30/2020

*Programs targeted to institutes of higher learning:*

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

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

Estimate of state funds expended	\$300,000
Estimate based on the 12 months ending	06/30/2020

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

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

*Other programs:*

Programs or strategies included: NH Student Assistance Programs, Life of an Athlete, NH Juvenile Diversion Network, MOUs with the NH Department of Education

Estimate of state funds expended	\$3,500,000
Estimate based on the 12 months ending	06/30/2020

**Funds Dedicated to Underage Drinking***State derives funds dedicated to underage drinking from the following revenue streams:*

Taxes	Yes
Fines	No
Fees	No
Other: Not applicable	No

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

Alcohol Tax

**Additional Clarification**

No data



**ICCPUD**

**THE INTERAGENCY COORDINATING COMMITTEE  
ON THE PREVENTION OF UNDERAGE DRINKING (ICCPUD)**

