



State Liquor Authority

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Governor

VINCENT G. BRADLEY
Chairman

GREELEY FORD
Commissioner

ADVISORY #2016-7

To: All on premises retail licensees, county governments and agency staff
Subject: Sunday sales hours

The purpose of this Advisory is to provide guidance to all on premises retail licensees, county governments and agency staff with respect to the change of Sunday sales hours signed into law on September 7, 2016. Alcoholic Beverage Control Law (ABCL) Section 106.5(a) has been amended to permit on premises sales of alcoholic beverages to commence at 10:00 am on Sundays. This amendment to the law now permits the sale of alcoholic beverages two hours earlier on Sundays as the section previously permitted sales to commence at noon.

Several counties across the state have availed themselves of the ability¹ to restrict the hours that alcoholic beverages are sold in their county beyond those hours permitted in ABCL Section 106.5. In doing so, these counties have all adopted noon as the hour that on premises sales may commence on Sundays. Each county adopted the earliest possible sale time on Sundays permitted by the statute. In contrast, numerous counties constricted the number of hours alcoholic beverages may be sold by establishing a closing time earlier than that required by the statute. For example, numerous counties have via resolution and subsequent approval by the State Liquor Authority prohibited the sale of alcoholic beverages after 2 am, even though ABCL Section 106.5(a) and (b) permit the sale until 4 am.

The Members of the Authority note that each county that took action to restrict the hours of sale only took action to curtail the closing time for sales and not the starting time for sales in their county. Each county that took action adopted the starting time for sales on Sundays to be noon. This signifies the county's clear intent to restrict the closing time as opposed to the starting time for the sale of alcoholic beverages. Therefore, since the law has now changed and permits sales to begin at 10 am, the Members of the Authority will deem all county resolutions that state sales may begin on Sundays at noon to be amended to 10 am unless and until a county passes a resolution, subject to public hearing and approval by the Authority, stating otherwise.

The above advisory was approved by the Members of the State Liquor Authority at the November 8, 2016 Full Board meeting

Dated: November 8, 2016

Secretary to the Authority

¹ ABCL Section 17.11 permits a county to request further restrictions of hours of sale.