Readopt with amendment Liq 405, effective 8-2-25 (Document #14335), to read as follows:

PART Liq 405 PUBLIC SAMPLING **OR TASTING** OF BEVERAGE/LIQUOR/WINE PURSUANT TO RSA 179:44

Liq 405.01 Definitions.

(a) "~~**Beverage, liquor, or wine public s**~~Sampling" for the provisions of this part means **the** ~~**a licensee**~~ giving to the public, free of charge~~**,**~~ or ~~**selling**~~ for a fee, samples of beverages, wine, or liquor **by a licensee** as authorized **under** ~~**by**~~ their license **and produced or represented by that licensee, on the licensee's own licensed premises,** ~~**for tasting**~~ for promotional purposes.

(b) "Licensee" for the provisions of this part means a holder of an on-premises, off-premises, liquor or wine vendor, liquor or wine representative, domestic wine manufacturer, liquor manufacturer, rectifier, beverage vendor, beverage manufacturer, wholesale distributor, or brewpub license who seeks to provide samples **of beverages, wine, or liquor**.

(c) "Tasting" for the provisions of this part means the giving of sample size portions, free of charge or for a fee, of beverages, wine, or liquor, as authorized by the licensee's license, by a licensee to persons of legal drinking age, for evaluation purposes, conducted not on the licensee's licensed premises, but on another licensed premises approved by the commission.

~~**(c) "Their licensed premises" for the provisions of this part means the premises of an on or off premises licensee.**~~

Liq 405.02 Beverage, Liquor, or Wine Public Sampling **or Tasting** Notification **and Approval**.

(a) The commission shall be notified prior to any beverage, liquor, or wine public sampling **or tasting** by the licensee. **The notice shall include the following information:**

(1) The name, contact information, and license number of the licensee conducting the sampling or tasting;

(2) The date or dates of the sampling or tasting;

(3) The product name, product manufacturer, and alcohol content of all products that will be available for sampling or tasting;

(4) The name and address of the location of the sampling or tasting; and

(5) The name, address, contact information, and license number, as applicable, of the owner or licensee on whose premises the sampling or tasting will be held, if different from the premises of the licensee conducting the sampling or tasting.

(b) Licensees requesting to conduct a sampling or tasting of any beverage, liquor, or wine at a farmers' market shall submit Form A-009 Farmers Market (revised 05/2024) in lieu of the notice required by paragraph (a).

(c) The notice required by paragraph (a) shall be provided to the commission:

(1) At least 5 business days prior to a sampling; or

(2) At least 10 business days prior to a tasting.

(d) The licensee shall provide any additional information requested by the commission prior to approval of the sampling or tasting.

(e) The commission shall provide notice to the licensee of the approval or denial of the sampling or tasting at least one business day prior to the event.

Liq 405.03 Liquor and Wine Purchases, Restrictions.

(a) All liquor and wine used for public ~~sampling~~ **tasting** shall be purchased from the commission by the licensee under their license.

(b) All beverages used for public ~~sampling~~ **tasting** on licensed premises shall be that which has been approved for sale in this state, pursuant to RSA 179:33, I ~~& II~~ and Liq 506.09, and obtained under the provisions of RSA 175 through 180.

(c) Unused beverage, liquor, and wine shall be added to the purchasing licensee's inventory after the tasting.

(d) All beverage, wine, and liquor used for public ~~sampling~~ **tasting** which is not purchased by the ~~on- or off-premises~~ licensee on whose premises the public ~~sampling~~ **tasting** is held shall be removed from the premises immediately after the public ~~sampling~~ **tasting** by the licensee who purchased the product.

(e) The licensee purchasing the beverage, wine, or liquor shall maintain records for at least 60 days, available to the commission, of the quantities of beverage, liquor, or wine by brand used for public ~~sampling~~ **tasting.**

Liq 405.04 Who May Conduct Tastings and Responsibility.

(a) On-premises and off-premises licensees other than off-premises special licensees and on-premises one-day licensees may ~~conduct or~~ host beverage, liquor, and wine public ~~sampling~~ **tastings** on their licensed premises **or at a premises approved by the commission**.

(b) Liquor and wine vendors, liquor and wine representatives, domestic wine manufacturers, liquor manufacturers, rectifiers, beverage vendors, beverage manufacturers, wholesale distributors, and brew pubs shall conduct public ~~sampling~~ **tastings** in conjunction with on-premises or off-premises licensees on their licensed premises **or at a premises approved by the commission**.

(c) Wine manufacturers, liquor manufacturers, beverage manufacturers, and brew pubs may conduct public ~~sampling~~ **tastings** at a farmers' market in a clearly defined area after the completion and submission of Form A-009 Farmers Market (revised ~~x~~**05**/2024).

(d) The licensee shall file and preserve individual sales slips and a list of ~~samples~~ **products** tasted and maintain a complete and accurate account of business in such a manner that the commission upon audit can determine the total amount of sales.

(e) The individual submitting Form A-009 shall:

(1) Sign and date the form; and
(2) Certify "I declare, under the provisions of Title XIII and punishable under RSA 641:3 (Unsworn Falsification), that I am authorized to sign on behalf of the business entity

providing this report; that I have examined all of the information provided on or with this report; that any information I give may be investigated as allowed by law; that the information is true, correct, and complete to the best of my knowledge and belief and made in good faith."

(f) The ~~on- or off-premises~~ licensee on whose premises the public **tasting** ~~**sampling**~~ occurs and the licensee conducting the **tasting** ~~**sampling**~~ shall both be equally responsible for ensuring that all requirements are met under RSA 175 through 180.

(g) The ~~on- or off-premises~~ licensee on whose premises a public **tasting** ~~**sampling**~~ is being conducted and the licensee conducting the **tasting** ~~**sampling**~~ shall not allow:

(1) Any person under 21 years of age to consume alcohol products;

(2) Any intoxicated person to consume alcohol or remain on the premises where the tasting is being conducted; and

(3) Free servings other than as provided in Liq 405.05(a) and (b).

Liq 405.05 Serving Sizes, Restrictions.

(a) Servings at ~~**public**~~ samplings **or tastings** shall not exceed 1/2 ounce for any liquor or fortified wine, 2 ounces for any table wine, and 4 ounces for any beverage.

(b) Hours of **sampling or** tasting shall be during legal hours of sale for the licensed premises, or the hours of the farmers' market.

Liq 405.06 Advertising. All advertising for beverage, liquor, or wine at ~~**public**~~ sampling **or tastings** shall be in conformance with state laws, commission rules, and orders.

Adopt PART Liq 406 to read as follows:

PART LIQ 406 SOCIAL DISTRICTS

Liq 406.01 Definitions.

(a) "Licensee" means "licensee" as defined in RSA 178:33, I.

(b) "Municipality" means a town, city, or unincorporated area that has, pursuant to the procedures in RSA 178:34, I, allowed the operation of social districts.

(c) "Social district" means "social district" as defined in RSA 178:33, II.

Liq 406.02 Social Districts Maps. After a municipality has designated a social district pursuant to RSA 178:35:

(a) The municipality shall provide the commission with a map of each social district. The map shall:

(1) Be sent by the municipality's board of selectmen, town council, city council, or board of alderman, as applicable, and include a contact address, telephone number, and email address;

(2) Be sent to the commission's division of enforcement and licensing by U.S. Mail or by email at the division's licensing email address as posted on its website;

(3) Be sent no later than 10 business days prior to the date on which the municipality intends to begin allowing consumption of alcoholic beverages in the social district;

(4) Include the following information:

a. All named streets within or bordering the social district, clearly labeled;

b. All businesses within or bordering the social district, clearly labeled;

c. The boundaries of the social district, indicated in red;

d. The location of signs as required by RSA 178:35, I;

e. The location of publicly maintained trash receptacles within or on the boundaries of the social district, if any;

f. The days during which alcoholic beverages may be consumed in social district; and

g. The hours during which alcoholic beverages may be consumed in the social district.

(5) Include the following attachments:

a. A copy of all management and maintenance plans for the social district established by the municipality pursuant to RSA 178:35, II; and

b. A copy of the minutes from any meeting of the board of selectmen, town council, city council, or board of alderman, as applicable, where the boundaries or the management and maintenance plans for the social district were approved.

(b) Within 5 business days of receipt of the municipality's map as described in paragraph (a), the commission shall, by U.S. mail or email:

(1) Acknowledge receipt of the map; and

(2) Confirm to the municipality whether the map complies with the requirements of subparagraph (a)(4) above.

(c) If the commission determines that the map is not compliant with the requirements subparagraph (a)(4) above, the commission, in its response to the municipality as described in paragraph (b), shall list the deficiencies causing the non-compliance.

(d) The municipality shall submit an updated, compliant map within 5 business days of the receipt of the commission's response as described in paragraph (c), if applicable.

Liq 406.03 Requirements after Rescission of Social District Approval. After a municipality has rescinded approval of social districts pursuant to RSA 178:34, IV:

(a) The municipality shall provide notice to the commission that approval of social districts has been rescinded in the municipality. The notice shall:

(1) Be sent by the municipality's board of selectmen, town council, city council, or board of alderman, as applicable, and include a contact address, telephone number, and email address;

(2) Be sent to the commission's division of enforcement and licensing by U.S. Mail or by email at the division's licensing email address as posted on its website; and

(3) Be sent no later than 5 business days after the date approval of social districts has been rescinded in the municipality.

(b) Within 10 business days of receipt of the municipality's notice as described in section (a), the commission shall:

(1) Send a letter via U.S. mail or email to the municipality acknowledging receipt of the municipality's notice; and

(2) Remove the municipality on the list of municipalities where social districts have been approved described in RSA 178:34, V.

Liq 406.04 Licensee Extension of Service. Licensees must complete and submit Form LTW-061 "Social Districts – Licensees" to the commission for approval to extend service of alcoholic beverages to a social district.

Adopt PART Liq 407 to read as follows:

PART 407 SELF-AUTOMATED POUR SYSTEMS

Liq 407.01 Definitions.

(a) "Automated system" means "automated system" as defined in RSA 178:22-a, I(a).

(b) "Licensee" means "licensee" as defined in RSA 178:22-a, I(b).

(c) "RFID device" means "RFID device" as defined in RSA 178:22-a, I(d).

Liq 407.02 Notification of Intent to Use Automated System.

(a) Licensees shall submit Form LTW-64 (08/2026) "License Type Worksheet – Self-Automated Pour Systems" to the commission as notification, pursuant to RSA 178:22-a, II(b), of the licensee's intent to use an automated system.

(b) A licensee shall submit Form LTW-64 prior to the first intended use of the system.

Liq 407.03 Sales Limitations. Sales of alcoholic beverages to a licensee's patrons via an automated system are subject to the following limitations:

(a) A patron's RFID device shall be credited with not more than $50.00 per activation;

(b) A patron's RFID devices shall not be credited with more than $200.00 per 24-hour period; and

(c) A patron's RFID devices shall not be credited with more than 64 fluid ounces of beverage or 64 fluid ounces of cider not exceeding 6 percent alcohol by volume, or 20 fluid ounces of wine, per 24-hour period.

APPENDIX

RULE	STATUTE
Liq 405	RSA 179:44
Liq 406.01	RSA 178:33, I; RSA 178:34, I; and RSA 178:33, II
Liq 406.02	RSA 178:35
Liq 406.03	RSA 178:34
Liq 406.04	RSA 178:36;
Liq 407	RSA 178:22-a