

SUMMARY OF CHAPTER 845, DIVISION 005 & 006 RULE MODERNIZATION CONCEPTS

1. Modernize the application and review processes for initial, renewing, and special liquor licenses.

Modernization will bring efficiencies to the application and review processes for initial, renewal, and special liquor licenses. These efficiencies are designed to reduce the average number of processing days required from the receipt of the application to issuing the license.

- Amend: 845-005-0306, 845-005-0312, 845-005-0360, 845-005-0400, 845-005-0405, 845-005-0410, 845-005-0412, 845-005-0413, 845-005-0414, 845-005-0415, 845-005-0440
- Repeal: 845-005-0314, 845-005-0315

2. Modernize the liquor license refusal reasons related to applicant qualifications and public interest and convenience.

When the Commission's investigation establishes a basis to deny a liquor license, the Commission is required to also determine if there are factors which may weigh for or against overcoming the denial basis. These factors are called "intervening circumstances."

Modernization will help the Commission to standardize how the Commission considers and analyzes intervening circumstances and will eliminate outdated rule concepts.

- Amend: 845-005-0325, 845-005-0326

3. Modernize food service requirements for a Full On-Premises Sales license.

Modernization will implement updates that are needed to accommodate present-day food service operations. Primarily, revise the definition of a "meal" (which in turn allows for the elimination of the term "substantial food item"), eliminate the requirement that a seat must be indoor for it to count as a dining seat (and thus allow outdoor seating to be counted as dining seating), and update the meal period requirement for a Full On-Premises Sales licensee.

- Amend: 845-005-0321, 845-006-0399, 845-006-0459, 845-006-0460, 845-006-0461, 845-006-0462, 845-006-0464, 845-006-0465
- Repeal: 845-006-0490

4. Allow licensed businesses to solicit and receive orders and payment for alcoholic beverages at all hours.

Electronic transactions are a way of life and happen 24/7. Current regulations do not allow a business to legally solicit or receive orders and payment for alcoholic beverages during all hours.

Modernization will formally allow licensed businesses to solicit and receive orders and payment for alcoholic beverages at all hours. It will also extend by one hour the allowed hours of sale at

licensed premises at airports. The limitation on the transfer or handover of the alcoholic beverage to the retail consumer will remain the same.

- Amend: 845-006-0425

5. Implement general housekeeping updates.

Modernization will streamline by deleting unnecessary rules and making housekeeping changes to other rules.

- Amend: 845-005-0304, 845-005-0311, 845-005-0320, 845-005-0366, 845-006-0340, 845-006-0475, 845-006-0480, 845-006-0482
- Repeal: 845-005-0303, 845-006-0430, 845-006-0481

6. Clarify frequently used terms.

Modernization will organize frequently used terms into two rules.

- Add: two new rules in Division 5
- Amend: 845-006-0301

7. Streamline the outdoor area rules.

Modernization will subject outdoor and indoor licensed areas to essentially the same requirements.

- Repeal: 845-005-0329, 845-005-0331, 845-006-0309

8. Exempt technology providers from the licensing requirement for certain activities.

Modernization will formally allow technology providers to advertise alcoholic beverage products to consumers and accept orders and payment for alcoholic beverages from consumers without an OLCC license provided the activity is done on the behalf of the OLCC, licensees, permittees, or retail sales agents.

- Add: one new rule in Division 5

9. Update compliance rules to give the Commission better tools to do the following:

a. Ensure the safety of minor entertainers performing in an area of a premises prohibited to minors.

Modernization will allow the Commission to refuse to approve, or to revoke its approval of, allowing minor entertainers in an area prohibited to minors.

- Amend: 845-006-0335

b. Address the mixing of marijuana together with an alcoholic beverage.

Modernization will insert updated language to prohibit a licensee or permittee from mixing or combining an adult use cannabinoid or an industrial hemp commodity or product that contains cannabinoids and is intended for human consumption with an alcoholic beverage.

- Amend: 845-006-0345

c. Obtain information about criminal convictions.

The OLCC already requires individuals to disclose certain convictions to the OLCC at the time of license renewal.

Modernization will require individuals to disclose convictions closer to the date of the actual conviction, which in turn, will allow the OLCC to conduct a timely assessment of the incident.

- Add: one new rule to Division 6