

CHAPTER Liq 700 LICENSEE LICENSING

**Readopt with amendments Liq 701.01 - 701.07, effective 10-23-2013 (Document #10443), to read as follows:**

PART Liq 701 CHAPTER DEFINITIONS AND OVERLYING CONDITIONS

Liq 701.01 Definition of Terms. The following terms shall be construed as set forth below:

- (a) "Affidavit" means a sworn statement of fact by an individual under oath or on affirmation before an authorized magistrate or officer;
- (b) "Applicant" means any natural or unnatural person intending to fulfill the statutory and administrative requirements for the issuance of a license pursuant to RSA 178;
- (c) "Application" means any written form, provided by the commission, which is a formal request for the issuance of a license;
- (d) "Application fee" means that fee that accompanies Form LIQ-A1, which covers the processing costs of new applicants;
- (e) "Chairman" means the executive director of the New Hampshire liquor commission;
- (f) "Cold food preparation area" means an area with at least a preparation counter, refrigeration, and food storage;
- (g) "Commission" means the New Hampshire liquor commission;
- (h) "Designation form" means a form provided by the commission to license applicants which is used to designate an individual to attend the required management training;
- (i) "Director of enforcement" means the chief of the division of enforcement and licensing;
- (j) "Division" means the division of enforcement and licensing;
- (k) "Form LIQ-A1" means the initial license application form;
- (l) "Hot food preparation area" means an area containing at least a stove, or an oven, or a microwave, or a steamer, or a steam table;
- (m) "Investigator" means a liquor enforcement officer appointed under the provisions of RSA 179:59, who is empowered to recommend to the director the issuance of a license;
- (n) "License" means any license to sell liquor, wine, beverages, or tobacco products issued by the commission;
- (o) "Licensing agent" means an employee of the commission who is authorized to assist the public with applications for liquor licenses, to evaluate license applications as to their completeness, confirm the applicant and proposed business meet all requirements of the license applied for, and to recommend either the issuance or rejection of such license;

(p) "License year" means the period of time which an original license has been issued until it has expired or been renewed;

(q) "Management training seminar" ("MTS") means the commission training program for new licensees required by RSA 178:2;

(r) "Manager" means an individual who:

(1) Exercises personal control over policies, operating procedures, and operations of a licensed business; and

(2) Is designated by the holder of or applicant for a license under this chapter to attend the management training seminar for the licensee;

(s) "Original license" means the first license issued to a business pursuant to RSA 178;

(t) "Renewal" means any application for a license that has not lapsed or expired more than 90 days except for a seasonal license;

(u) "Signature" means an original manual signature or mark. Nothing in these rules shall be construed so as to prohibit electronic or other signature forms when the commission has the capability of authorizing and processing such signatures;

(v) "Supporting documentation" means complete signed copies of all requested materials in support of an application and required by Liq 702.04; and

(w) "Wait service" means service by a licensee or their employee of food, beverages, liquor, or other items to the seating accommodations of the patrons.

Liq 701.02 Completing Forms. Whenever a person is required to complete a form, as described in RSA 178 and this chapter, the following provisions shall apply:

(a) Forms shall be filled out completely and truthfully;

(b) Forms shall be completed in a legible manner;

(c) Forms shall be completed in non-fading, non-erasable graphic such as ink or typewritten; and

(d) Nothing in this section shall be construed so as to prohibit completion or filing of forms via the internet or other electronic completion or filing of forms when the division has the capability of authorizing and processing such forms.

Liq 701.03 Incomplete Form Returned. In the event a person submits a form not in compliance with Liq 700, such form shall not be processed. The form shall be returned to the submitting party with the reasons for such return noted.

Liq 701.04 Failure to Comply with Statute or Rule. In the event an applicant fails to comply with an application rule or statute, such applicant's application shall not be processed and the applicant shall be notified within 10 working days of the date of rejection, together with the reasons for such rejection of the application.

Liq 701.05 Fees, Form of Payment.

(a) Whenever an applicant makes a payment to the division for satisfaction of a fee, the provisions of this section shall apply.

(b) Payment shall be made in the form of United States currency, a check, money order, or other negotiable instrument payable upon demand for the total amount due for the initial or renewal license year for each license applied for.

(c) Such instrument described in paragraph (a) above shall be made payable to the "State of New Hampshire-Liquor Commission," however, a suitable alternative term including but not limited to "State of NH", "State Liquor Commission" or "Liquor Commission" shall not be cause for refusal to accept such instrument, providing it does not lend itself to endorsement of the instrument by any other party other than the state of New Hampshire, nor for any private individual or purpose.

(d) Any payment made to the division by check that was returned for insufficient funds which has not been made good, including any fees pursuant to RSA 6:11-a by cash, money order or certified check within 24 hours, excluding weekends and holidays, of notification of the licensee or one of their employees, shall result in proceedings for suspension or revocation of the license not paid for.

(e) The division shall also accept payments by means of approved credit and debit cards when the division is capable of authorizing and processing such payments.

**Liq 701.06 When Submitted.** Unless otherwise provided in these rules, any fee prescribed by a statute or rule shall be submitted for the full amount due as calculated by Liq 703.06 at the same time as the application to which it applies.

**Liq 701.07 Checks.**

(a) No check shall be accepted which bears a date subsequent to the date of the transaction.

(b) Except as provided in this rule, no two-party check shall be accepted.

(c) A two-party check shall be accepted if:

(1) One of the parties is the state of New Hampshire;

(2) The applicant is the other party; and

(3) The amount of the check is not greater than the fee.

(d) No check shall be accepted that is dated more than 30 days prior to the receipt.

(e) Any check as described in Liq 701.07(a), (b), or (d) shall cause the application to be incomplete.

**Readopt Liq 705.02, effective 10-23-13 (Document #10443) and renumber as Liq 701.08 to read as follows:**

**Liq 701.08 License Application Fees.**

(a) Each new applicant for a one day, a beer festival, a liquor and wine festival, an alcohol consultant, or a liquor and wine representative license shall pay a processing and investigation fee of \$25.00.

(b) Each new applicant for any other type of license, except a special or supplemental license, shall pay a processing and investigation fee of \$100.00.

#### PART Liq 702 APPLICATION PROCESS

Liq 702.01 Purpose. The purpose of these rules is to maintain a uniform and systematic approach to licensing of businesses as required and described under Liq 700 and RSA 178.

**Readopt with amendment Liq 705.01, effective 10-23-13 (Document #10443), and renumber as Liq 702.02 to read as follows:**

#### Liq 702.02 Form LIQ-A1 Initial Application For A License.

(a) When any natural or unnatural person desires to obtain a license, the applicant's or his, her or it's designee shall complete and submit Form LIQ-A1 "Initial Application," (revised 1/2020) and shall produce preliminary information necessary to initiate the application process.

(b) As part of the application procedure, any new applicant for a new license issued pursuant to this title, except supplemental, special, or one day licenses, shall pay an application fee to recover the costs of processing and investigating each type of license application.

(c) The applicant shall submit the application fee at the time they complete and submit Form LIQ-A1.

(d) No application, except a special, supplemental, or one-day license application, shall be processed without the application fee accompanying Form LIQ-A1.

(e) Application processing and investigation fees shall be non-refundable.

(f) An applicant shall be considered a new applicant if such applicant's license has lapsed more than 90 days, unless the applicant was the holder of a seasonal license in the current or previous calendar year.

(g) Pursuant to RSA 641:3, applicants shall certify they are authorized to sign on behalf of the business entity applying for a license, and that the information provided is true, correct, and complete to the best of their knowledge and belief.

**"Readopt with amendment Liq 702.03 - Liq 702.13, Liq 703, and Liq 704, effective 10-23-13 (Document #10443), to read as follows:"**

Liq 702.03 Application Packet. Upon the submission of Form LIQ-A1, the licensing agent shall provide the applicant with the license type application as described in Liq 702.07 and the license type worksheet as described in Liq 702.07(b) and part Liq 705 of these rules.

Liq 702.04 Required Documentation. As part of the application process, applicants shall produce and submit copies of the following documents:

(a) For all applicants located within the state of New Hampshire:

(1) A signed deed, lease, or rental agreement for the premises:

a. In name of applicant; and

- b. Providing that the applicant has the right to occupy the premises and is in control of the premises;
  - (2) A copy of a valid certificate, license, or letter of compliance issued by the state or town in which the business is located showing compliance with the provisions of RSA 143-A;
  - (3) A bill of sale or lease for all furniture, fixtures, and equipment that:
    - a. Shall be in name of applicant; and
    - b. Shall state that applicant owns, leases or rents the furniture and equipment;
  - (4) A signed and dated bill of sale for any alcoholic beverages purchased when buying an existing business that specifies:
    - a. The amount paid; and
    - b. The complete inventory of stock by brand type;
  - (5) A copy of the trade name registration with the New Hampshire secretary of state;
  - (6) A notarized affidavit showing affiant's ownership, management control, or employment by the business applying for a license;
  - (7) A managerial appointment consisting of a letter from and signed by the owners, partners, or members or a manager of an limited liability corporation ("LLC") or authorized corporate officer, as applicable, naming the manager together with his or her address, date, and place of birth;
  - (8) A diagram, sketch, or plan of physical layout of establishment;
  - (9) Copy of prior license or trade name and prior license number;
  - (10) A notarized certificate or affidavit from the registered agent of the entity furnishing all information required by RSA 178:3, V;
  - (11) A notarized original power of attorney and original affidavit for any person with power of attorney;
  - (12) Town or city approval;
  - (13) Permit of assembly; and
  - (14) Health or food service license, if applicable;
- (b) For on-premises licenses:
- (1) A signed bill of sale or lease of draft system or humidor for cigar bar, to the applicant;
  - (2) A copy of a valid permit of assembly, letter, or certificate of occupancy issued by the local or state fire authorities;

- (3) Food service permit from local or state health agency;
  - (4) Menu, if the applicant operates a restaurant; and
  - (5) Correspondence from the municipality indicating that it does not object to the forms of entertainment proposed by the applicant;
- (c) For a corporation:
- (1) A certificate of incorporation with all addendums attached;
  - (2) A corporate certificate or letter of good standing from the New Hampshire secretary of state dated or issued within the last 12 months;
  - (3) A copy of the articles of incorporation, by-laws, and an attachment indicating ownership and distribution of stock within the corporation;
  - (4) A copy of the certificate of authority from the New Hampshire secretary of state, if a non-New Hampshire corporation;
  - (5) Minutes of the election of the current officers and directors or minutes of each meeting electing officers or directors to provide a complete and accurate record of the current status of all officers and directors and true ownership of the corporation or a sworn affidavit by the corporate secretary attesting to who the current officers and directors are in lieu of minutes;
  - (6) Complete list of all current corporate officers, directors, shareholders including:
    - a. Full Name;
    - b. Date of birth (“DOB”); and
    - c. Legal address; and
  - (7) Notarized original power of attorney and original affidavit for any person with power of attorney;
- (d) For limited liability corporations (“LLC”):
- (1) A copy of the certificate of existence issued by the New Hampshire secretary of state, or a copy of the certificate of formation of the limited liability company with the filing date stamp of the New Hampshire secretary of state, or a copy of the authorization of the New Hampshire secretary of state for the LLC to do business in New Hampshire;
  - (2) A copy of the certificate of good standing issued within the last 12 months;
  - (3) A copy of the LLC operating agreement; and
  - (4) Complete list of all current members or appointments of LLC managers including:
    - a. Full name;

- b. DOB; and
- c. Legal address;
- (e) For partnerships:
  - (1) A notarized affidavit showing the partner's ownership, management control, or employment by the business applying for a license; and
  - (2) Notarized original power of attorney and original affidavit for any person with power of attorney;
- (f) For a liquor, wine or beverage manufacturer, brew pub, beverage vendor, nano brewer, or rectifier a copy of the United States Treasury Tax and Trade Bureau ("TTB") permit issued to the applicant;
- (g) For a common carrier, a copy of the United States Department of Transportation or Interstate Commerce Commission license or an affidavit from a New Hampshire based in-state carrier attesting to being a person who, for a fee, provides public transportation of goods or persons;
- (h) For a wholesaler, a surety bond issued to the wholesaler guaranteeing the amount pursuant to the provisions of RSA 178:16, II;
- (i) For an off-premises special license, a copy of a bill of sale, order of foreclosure, or letter of administration by the judge of probate;
- (j) For an off-premises with a pharmacy, license or certificate issued by the New Hampshire pharmacy board;
- (k) RESERVED
- (l) For a passenger tramway device, proof of licensing by the New Hampshire department of safety and a copy of the tramway inspection certificate issued for the device;
- (m) For a college club, proof of accreditation of a college or university with a letter from the accrediting agency indicating that the college or university is accredited and in good standing;
- (n) For non-profits, proof of non-profit status which shall consist of a copy of the U.S. Internal Revenue Service issued document and New Hampshire secretary of state document granting non-profit status;
- (o) For a dining or rail car:
  - (1) Proof of inspection with the New Hampshire department of transportation; and
  - (2) A copy of the certificate, letter of compliance, or license issued by the inspecting agency;
- (p) For a state fair:
  - (1) A written statement indicating official approval of the chief of the fire department with jurisdiction as to the safety of the location;

- (2) A written statement indicating official approval of the health department with jurisdiction concerning sanitary conditions;
  - (3) A written statement indicating official approval of the police department with jurisdiction as to the accessibility and public safety of the location and the event; and
  - (4) For a New Hampshire fair or exposition, a letter of good standing from the New Hampshire Association of Fairs and Expositions;
- (q) For social and veterans clubs, a roster of club members and auxiliaries, including addresses;
- (r) For a one-day license:
- (1) A written statement indicating official approval of the chief of the fire department with jurisdiction as to the safety of the location;
  - (2) A written statement indicating official approval of the health department with jurisdiction concerning sanitary conditions;
  - (3) A written statement indicating official approval of the police department with jurisdiction as to the accessibility and public safety of the location and the event;
  - (4) A certificate of attendance at a commission management training seminar within 12 months prior to the effective date of the license;
  - (5) A letter of authorization from a non-profit organization designating an official in charge of the event;
  - (6) A notarized affidavit showing affiant's ownership, management control, or employment by the business applying for a license; and
  - (7) A list of alcohol servers for the function;
- (s) For a vessel, current operating certificate issued by the New Hampshire department of safety;
- (t) For a wine or beer festival:
- (1) A written statement indicating official approval of the chief of the fire department with jurisdiction as to the safety of the location;
  - (2) A written statement indicating official approval of the health department with jurisdiction concerning sanitary conditions;
  - (3) A written statement indicating official approval of the police department with jurisdiction as to the accessibility and public safety of the location and the event;
  - (4) A letter of authorization from a non-profit organization designating an official in charge of the event;
  - (5) A notarized affidavit showing affiant's ownership, management control, or employment by the business applying for a license;



- (6) A list of alcohol servers for the function; and
- (7) A certificate of attendance at a commission management training seminar within 12 months prior to the effective date of the license;
- (u) For a vending tobacco license, location and name of business of each tobacco vending machine;
- (v) For pari-mutuel and commercial motor vehicle race track license, a listing of the areas that the applicant intends to utilize for the service and consumption of alcoholic beverages including a brief description of the area; and
- (w) For an agency store:
  - (1) A financial statement from a credit company or bank providing a copy of the applicant's credit standing;
  - (2) Letters of recommendation from 3 New Hampshire residents indicating the reliability of the applicant's customer service record in the community; and
  - (3) Any photographs of the business or other representation or other documentation that the applicant wants the commission to consider in the selection process.

**Liq 702.05 Input From Municipality.**

- (a) As part of the application process, the licensing agent shall send correspondence to the municipality where the licensee is proposed to be located, notifying it of the license application.
- (b) The correspondence shall solicit the following information from a municipality in its review of the license application under Liq 702.08:
  - (1) That the proposed location of the business is appropriate for the sale and service of alcohol, tobacco, or both;
  - (2) The nature of the business relative to the surrounding neighborhood;
  - (3) The number of similar businesses in the neighborhood; and
  - (4) Objections from the municipality relative to the appropriateness of a liquor license under RSA 178:3, VII(f).

**Liq 702.06 In-State Premises Inspection.**

- (a) The commission shall inform the applicant of the requirements specific to the license type sought by the applicant.
- (b) Once the applicant has obtained all documentation required by Liq 702.04, completed all desired renovations at the proposed locations, and installed all furniture, the applicant shall request an inspection of the site by an investigator.
- (c) The commission shall inspect the premises to determine compliance with applicable statutes and rules and the physical requirements of Liq 706.

**Liq 702.07 License Type Application.**

(a) Once the applicant has obtained and submitted copies of all documentation required by Liq 702.04 and an investigator has inspected the premises pursuant to Liq 702.06, the applicant shall complete and submit as appropriate:

(1) Form LTA-1M “License Type Application-Manufacturers” (revised 1/2020) for manufacturers, including brew pub, liquor manufacturer, beverage manufacturer, nano brewery with sampler (no restaurant), nano brewery with restaurant, rectifier, tenant brewer, wine manufacturer with sampler, and wine manufacturer retail outlet; or

(2) Form LTA-2D “License Type Application-Distributors – Non-Retail” (revised 1/2020) for distributors, including beverage vendor, carrier, liquor and wine representative, liquor and wine vendor, liquor/wine/beverage warehouse, wholesale distributor, and alcohol consultant; or

(3) Form LTA-3R-OFF “License Type Application-Retailers-Off-Premises” (revised 1/2020) for retailers off-premises, including agency store, beer festival, beer specialty, combination, off-premise specialty, retail tobacco, retail wine, tobacco sampling, tobacco vending, and wine festival; tobacco retail license fee; or

(4) Form LTA-3R-ON “License Type Application-Retailers-On-Premises” (revised 1/2020) for retailers on-premises, including, ballroom, bed and breakfast / hotel, caterer on-premises, caterer off-premises, college club, convention center, dining car / rail car, restaurant, military club, veteran’s club, social club, one day non-profit organization, state fair, sports entertainment complex, pari-mutuel / commercial motor vehicle race track, sports recreation facility, performing arts, vessel, wine / liquor festival, beer festival and cigar bar.

(b) The applicant shall complete and submit the “License Type Worksheet” as set forth in Liq 705 of these rules, in addition to the “License Type Application” set forth in Liq 702.07(a).

(c) If the license application and corresponding worksheet is completed, and the applicant satisfies all requirements for the license type, the licensing agent shall submit the application to the director for review.

(d) The director shall review the license application and submit to the commission a written recommendation as to whether the commission should grant or deny the license.

(e) If the director recommends that the commission grant the applicant a license, the director shall issue that applicant a temporary license pending the chairman or deputy commissioner’s final review and decision.

(f) If the director believes that he or she lacks sufficient information to determine whether to recommend the grant or denial of the license, because he or she is unable to fully assess the actual control structure of the licensee, the effect that any third-party interests may play on the licensee’s operations, the effect of the licensed establishment on the neighborhood, or, based on specific circumstances, there is reason to believe the applicant may be unable to comply with the provisions set forth in Title XIII or these rules, the director shall request additional information, and shall respond to the application by issuing the applicant a temporary license, which shall allow the applicant to operate pending the director’s determination regarding a recommendation of grant or denial.

(g) Any temporary license issued pursuant to Liq 702.07(e) or (f) shall automatically expire upon the occurrence of any of the following events:

- (1) The director's recommendation to the commission that it deny the license;
- (2) The commission's grant of the license; or
- (3) 90 days following its issuance.

(h) Any temporary license issued by the director pursuant to Liq 702.07(e) or (f) shall state on the document that it shall expire upon the occurrence of any of the events set forth in Liq 702.07(g)(1-3).

Liq 702.08 Additional information. In order to determine whether or not to approve the request for a license, the chairman or deputy commissioner may request additional information pursuant to RSA 178:3, V.

Liq 702.09 Final Review. The chairman, or the deputy commissioner pursuant to RSA 176:2-a, shall determine whether or not to approve the request for a license based on the following:

(a) The operational and business qualifications of all persons with a right to control the operations and policies of the proposed licensee;

(b) The existence of any disqualifying felonies as specified in RSA 178:3, VI;

(c) The information received from the municipality pursuant to Liq 702.05;

(d) Completeness of the application;

(e) That the applicant is of legal age;

(f) That the applicant is of good character;

(g) That the application accurately disclosed the applicant's interests in other business activities;

(h) That the applicant's interests in other business activities would interfere with the lawful operation of the proposed business;

(i) That interests in other business activities would create unfair competition or unlawful activities;

(j) That the proposed business would be managed in a manner which would hinder the commission from exercising its regulatory and financial responsibilities;

(k) That the proposed location of the business is an appropriate one, considering the nature of the business, the nature of the surrounding neighborhood, and the number of similar businesses in the neighborhood; and

(l) The recommendation of the director of the division of licensing and enforcement.

Liq 702.10 Issuance of License.

(a) The licensing agent shall notify the licensee in writing whether or not the request has been approved, and of any condition or conditions which the chairman, or the deputy commissioner pursuant to RSA 176:2-a, attached to any license approval, including, but not limited to:

- (1) A warehouse licensee, other than DHL, shall not store bailment products;

(2) A combination licensee shall operate each of the licenses in comportment with the hours of sales requirements for the license in operation as established by RSA 179:17; and

(3) Any other condition or conditions that further the primary duties of the commission as outlined in RSA 176:3.

(b) Any denials shall be accompanied by a written statement stating the basis for the denial and that the applicant has a right to a hearing.

Liq 702.11 Management Training Seminar.

(a) The commission shall offer the management training seminar ("MTS") pursuant to RSA 178:2, II.

(b) All retail licensees or a manager designee shall attend and receive a certificate of completion with positive identification in compliance with RSA 179:8.

(c) The seminar shall cover the following topics:

(1) Information on state law;

(2) Alcohol sales practices;

(3) Criminal and civil liability; and

(4) Management practices intended to reduce access to alcohol by persons under the age of 21 and over service of alcohol to patrons.

(d) A schedule of classes shall be provided to all license applicants by the licensing officer.

(e) Prior to the effective date of a one-day license, the training program shall be attended by a management representative of the applicant provided, however, if 2 or more one day licenses are issued to the same applicant during any 12-month period, the management representative of the applicant shall be required to attend the training program only once during that 12-month period.

Liq 702.12 Training Required, Designee.

(a) Pursuant to RSA 178:2, for each on or off premise license initially issued, all retail licensees or a manager designee shall attend the commission MTS licensee basic training course.

(b) An applicant may designate a manager by name to attend the training in his or her stead on a designation Form L-003 provided by the commission, which shall be filed with the license application.

Liq 702.13 License Suspension.

(a) Pursuant to RSA 178:2, V, the chairman may suspend, pursuant to RSA 541-A:30, III, the license of any person who holds a license under the provisions of this chapter for failure to comply with the requirements of RSA 178:2, IV, which license shall not be reissued until the required training is complete.

(b) Notice of possible suspension pursuant to paragraph (a) shall accompany the license application and be signed by the licensee.

(c) Upon 20 days after the license is issued, if the licensee has not yet attended the mandatory training, the division shall issue a warning notice to the licensee directing the licensee to complete the training by the 45-day deadline.

(d) A warning notice issued pursuant to Liq 702.13(c) constitutes a commission order.

(e) Once 45 days has elapsed since the license was issued, the division shall issue a licensee who still has not attended the training an administrative notice of violation and schedule a hearing on the violation.

(f) If the chairman suspends a license for failure to attend MTS, the license shall not be reinstated until the required training is completed.

#### PART Liq 703 LICENSING FORMULA

Liq 703.01 Purpose. The purpose of this part is to provide applicants with a formula for the calculation of license fees as required pursuant to RSA 178.

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#### Liq 703.02 Definitions.

(a) "B-Month" means the birth month for an individual or legal date of organization.

(b) "C-Month" means the effective month of a new license;

(c) "D-Month" means the difference in months between B-Month and C-Month.

(d) "Eff Date" means the first day of the month the license is to take effect.

(e) "License-Months" means the length of a license issued in measurement by month.

(f) "SPI" means either the birth date or legal date of incorporation or other organization.

(g) "Table" means any chart, graph, or reference material included to more clearly explain a concept or legal requirement.

#### Liq 703.03 RESERVED

Liq 703.04 Formula for Calculation of Licensing Months. The formula for calculation of licensing months for initial licenses shall be as follows:

(a) If B-Month is less than C-Month, the license fee shall be calculated as follows:

(1) The D-Month shall equal the C-Month minus B-Month plus one;

(2) If D-Month is less than 9, the license months shall equal 12 minus D-Month; and

(3) If D-Month is greater than or equal to 9, the license months shall equal 24 minus D-Month.

(b) If B-Month is greater than or equal to C-Month, the license fee shall be calculated as follows:

(1) The D-Month shall equal the B-Month minus C-Month minus one;

- (2) If D-Month is less than 4, the license months shall equal 12 plus D-Month; and
- (3) If D-Month is greater than or equal to 4, the license months shall equal D-Month.

(c) Licenses, except for seasonal, supplemental, state fair, special, beer festival, or one day licenses shall be issued for periods of at least 4 months, but shall not exceed 15 months as determined by the formula in Liq 703.04(a) and (b).

Liq 703.05 Table A.

(a) The length of the license issued shall be determined by matching the SPI month in the X axis with the effective month in the Y axis;

(b) Once the effective month and SPI month have been determined the number of months for the initial license or lapsed license shall be in compliance with table A below:

TABLE A

SPI MONTH												
Eff. Month	Jan	Feb	Mar	Apr	May	June	July	Aug	Sept	Oct	Nov	Dec
Jan	13	14	15	4	5	6	7	8	9	10	11	12
Feb	12	13	14	15	4	5	6	7	8	9	10	11
Mar	11	12	13	14	15	4	5	6	7	8	9	10
Apr	10	11	12	13	14	15	4	5	6	7	8	9
May	9	10	11	12	13	14	15	4	5	6	7	8
June	8	9	10	11	12	13	14	15	4	5	6	7
July	7	8	9	10	11	12	13	14	15	4	5	6
Aug	6	7	8	9	10	11	12	13	14	15	4	5
Sept	5	6	7	8	9	10	11	12	13	14	15	4
Oct	4	5	6	7	8	9	10	11	12	13	14	15
Nov	15	4	5	6	7	8	9	10	11	12	13	14
Dec	14	15	4	5	6	7	8	9	10	11	12	13

Liq 703.06 License Fees. The initial or renewal fee for any license shall be the sum of the license-months divided by 12 multiplied by the annual cost for each category pursuant to RSA 178:29 except for seasonal, special, supplemental, beer festival, and state fair licenses.

Liq 703.07 Refunds Prohibited. The fees paid by any licensee for a license, regardless of the license term, shall not be refundable except when a refund request is received by the commission prior to the effective date of the license.

PART Liq 704 LICENSE RENEWALS

Liq 704.01 Notice of Renewal.

- (a) The division shall identify all year round licenses 90 days before their renewal date.
- (b) The following shall apply:
  - (1) The division shall issue a written application, the applicable License Type Worksheet (LTW), for the renewal of licenses to every licensee;
  - (2) The application shall be delivered electronically, or by mail if requested by the applicant, or other appropriate method to an address designated by the licensee;
  - (3) The applicant shall answer all questions in the applicable license type worksheet designed for the renewal of a license as required pursuant to RSA 178:3 and applicable parts of Liq 700;
  - (4) All questions shall be answered truthfully, completely, in a legible manner, and in a non-erasable graphic;
  - (5) Any supporting documentation required to update an application pursuant to Liq 702.04 shall accompany the application when submitted for renewal;
  - (6) The renewal applicant's application to the division office in Concord shall be postmarked at least 30 days before the expiration date of their license; and
  - (7) The fees, and form of payment shall comply with the provisions of Liq 701.05.

Liq 704.02 Bond Required.

- (a) A wholesale distributor as defined by RSA 175:1, LXVI, shall give to the state of New Hampshire a surety bond required by RSA 178:16, II.
- (b) The formula for a renewed bond shall be 1.5 times the highest monthly sum of additional fees paid pursuant to RSA 178:26 during the 12-month period ending 3 months prior to the license renewal date.
- (c) The amount of the bond required for an original applicant shall be in an amount determined by an estimate of the chairman based upon the vendor's or applicant's estimated sales.
- (d) The bond amount shall be reviewed every 3 months and shall be based upon the actual number of gallons of beverage sold monthly multiplied by the amount of tax specified by RSA 178:26 for each gallon sold multiplied by 1.5 during the period of the original license.
- (e) The length of time a bond is required shall be consistent with the requirements of RSA 178:16.

**Readopt with amendments and renumber Liq 706.01 – 706.34, effective 7-29-11 (Document #9965), as Liq 705.01 – 705.33 to read as follows:**

PART Liq 705 LICENSE TYPE WORKSHEETS

Liq 705.01 Information Required on Worksheets.

(a) Each applicant for a license shall retain, maintain and keep readily available all supporting documentation relative to their specific worksheet and, upon investigation, provide such documentation to any member of the commission.

(b) Each applicant for a license shall provide the name of the business, the trade name of the business, if any, and the primary contact for the applicant.

(c) Each applicant for a license shall provide specific information and acknowledgements on a "License Type Worksheet" as required by Liq 702.07 (a) and as specified in this Part. The information provided shall be certified by the applicant under penalty of unsworn falsification pursuant to RSA 641:3.

Liq 705.02 Liquor Manufacturer Licenses. Applicants for a liquor manufacturer license shall complete and submit Form LTW-19, "License Type Worksheet-Liquor Manufacturer" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.03 Rectifier Licenses. Applicants for a rectifier license shall complete and submit LTW-32, "License Type Worksheet-Rectifier" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.04 Liquor and Wine Vendor License. Applicants for a liquor and wine vendor license shall complete and submit Form LTW-45, "License Type Worksheet-Liquor and Wine Vendor" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.05 Liquor/Wine/Beverage Warehouser License. Applicants for a liquor/wine/beverage/warehouse license shall complete and submit Form LTW-12, "License Type Worksheet-Liquor, Wine and Beverage Warehouser" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.06 Wine Manufacturer's License. Applicants for a wine manufacturer's license shall complete and submit Form LTW-30, "License Type Worksheet-Wine Manufacturer – Off Premises Sampling/Retail Sales" (revised 8/2020) providing all required information, acknowledgments, and, for an off-premises sampling retail event, attach a copy of the authorization letter from the nano-brewery allowing the applicant permission to conduct sales and sampling.

Liq 705.07 Liquor and Wine Representative License. Applicants for a liquor and wine representative license shall complete and submit Form LTW-35, "License Type Worksheet-Liquor and Wine Representative" (revised 8/2020) providing all required information, acknowledgments, and attach a warranty deed or lease agreement.

Liq 705.08 Beverage Manufacturer Licenses. Applicants for a beverage manufacturer license shall complete and submit Form LTW-18, "License Type Worksheet-Beverage Manufacturer" (revised 8/2020) providing all required information, acknowledgments, and attach a completed form LTW-03 "Restaurant" worksheet, if the applicant will hold an on-premise license.

Liq 705.09 Carrier License. Applicants for a carrier license shall complete and submit Form LTW-16, "License Type Worksheet-Carrier" (revised 1/2020) providing all required information and acknowledgments.

Liq 705.10 Beverage Vendor Licenses. Applicants for a beverage vendor license shall complete and submit Form LTW-31, "License Type Worksheet-Beverage Vendor" (revised 8/2020) providing all required information and acknowledgments.



Liq 705.11 Wholesale Distributor Licenses. Applicants for a wholesale distributor license shall complete and submit Form LTW-20, "License Type Worksheet-Wholesale Distributer" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.12 Off-Premises Special License (Auction). Applicants for an off-premises special license shall complete and submit Form LTW-42, "License Type Worksheet-Off-Premise Specialty (Auction)" (revised 8/2020) providing all required information, acknowledgments, and attach the following:

- (a) If an administrator/executor sale, the letter of administration signed by the probate judge;
- (b) A copy of the foreclosure, court order, assignment or liquidation order, if applicable;
- (c) A letter from a non-profit signed by a corporate officer designating that person is allowed to represent the non-profit organization for the event;
- (d) An affidavit for the designated person in charge of the event;
- (e) Form L-023d "Special One Day / Auction Licenses Only – Inventory"; and
- (f) Form L-023e "Auction – Affidavit for Alcohol Sold".

Liq 705.13 Combination License. Applicants for a combination license shall complete and submit Form LTW-47, "License Type Worksheet-Combination" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.14 Retail Table Wine License. Applicants for a retail table wine license shall complete and submit Form LTW-46, "License Type Worksheet-Retail Table Wine" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.15 Bed and Breakfast and Hotel License. Applicants for a bed and breakfast or a hotel license shall complete and submit Form LTW-02, "License Type Worksheet-Bed & Breakfast / Hotel" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.16 State Fair License. Applicants for a state fair license shall complete and submit Form LTW-23, "License Type Worksheet-State Fair" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.17 Ballroom License. Applicants for a ballroom license shall complete and submit Form LTW-11, "License Type Worksheet-Ballroom" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.18 Caterer License On-Site and Caterer Off-Site. Applicants for a caterer on-site & off-site license shall complete and submit Form LTW-34, "License Type Worksheet-Caterer On-Site / Caterer Off-Site" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.19 RESERVED

Liq 705.20 College, Military, Veteran's and Social Club Licenses. Applicants for a college, military, veteran's or social club license shall complete and submit Form LTW-01, "License Type Worksheet-College, Military & Veterans / Social Clubs" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.21 RESERVED

Liq. 705.22 RESERVED

Liq 705.23 Convention Center License. Applicants for a convention center license shall complete and submit Form LTW-25, "License Type Worksheet-Convention Center" (revised 8/2020) providing all required information and acknowledgments.

Liq. 705.24 RESERVED

Liq. 705.25 One Day Non-Profit Organization License. Applicants for a one day license shall complete and submit Form LTW-41, "License Type Worksheet-One Day Non-Profit Organization" (revised 1/2020) providing all required information and acknowledgments 15 days before the date on which the license is needed.

Liq 705.26 Performing Arts Facility License. Applicants for a performing arts facility license shall complete and submit Form LTW-08, "License Type Worksheet-Performing Arts" (revised 8/2020) providing all required information and acknowledgments.

Liq.705.27 Pari-mutuel and Commercial Motor Vehicle Race Track License. Applicants for a pari-mutuel or a commercial motor vehicle race track license shall complete and submit Form LTW-24, "License Type Worksheet-Pari-mutuel / Commercial Motor Vehicle Race Track" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.28 Dining Car or Rail Car License. Applicants for a dining or rail car license shall complete and submit Form LTW-27, "License Type Worksheet-Dining Car / Rail Car" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.29 Restaurant and Related Licenses. Applicants for a restaurant license shall complete and submit Form LTW-03, "License Type Worksheet-Restaurant" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.30 Vessel License. Applicants for a vessel license shall complete and submit Form LTW-13, "License Type Worksheet-Vessel" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.31 Agency Store License. Applicants for an agency store license shall complete and submit Form LTW-04, "License Type Worksheet-Agency Store" (revised 8/2020) providing all required information, acknowledgments, and attach a business plan of operations detailing how the proposed agency store would operate during the term of the license.

Liq 705.32 Brew Pub License. Applicants for a brew pub license shall complete and submit Form LTW-15, "License Type Worksheet-Brew Pub" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.33 Sports Recreation Facility License. Applicants for a sports recreation facility license shall complete and submit Form LTW-05, "License Type Worksheet-Sports Recreation Facility" (revised 8/2020) providing all required information, acknowledgments, and attach a business plan of operations which shall detail the type of sports/recreation provided by the applicant and the physical facility in which their operations are carried out.

**Readopt with amendments and renumber Liq 706.35, effective 12-10-14 (Doc. #10782), as Liq 705.34 to read as follows:**

Liq 705.34 Alcohol Consultants. Applicants for an alcohol consultant license shall complete and submit Form LTW-44, "License Type Worksheet-Alcohol Consultant" (revised 8/2020) providing all required information, acknowledgments, and attach Form L-075 – "New Hampshire Liquor Commission Direct Shipper Affiliation Form".

**Adopt Liq 705.34 – Liq 705.45 to read as follows:**

Liq 705.35 Beer Festival License. Applicants for a beer festival license shall complete and submit Form LTW-14, "License Type Worksheet-Beer Festival" (revised 8/2020) providing all required information, acknowledgments, and attach the following:

- (a) Proof of non-profit status from the New Hampshire Secretary of State; and
- (b) A letter of designation from a non-profit group.

Liq 705.36 Beer Specialty License. Applicants for a beer specialty license shall complete and submit Form LTW-07, "License Type Worksheet-Beer Specialty" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.37 Cigar Bar License. Applicants for a cigar bar license shall complete and submit Form LTW-06, "License Type Worksheet-Cigar Bar" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.38 Tenant Brewer License. Applicants for a tenant brewer license shall complete and submit Form LTW-09, "License Type Worksheet-Tenant Brewer" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.39 Nano Brewery License. Applicants for a nano brewery license shall complete and submit either Form LTW-22, "License Type Worksheet-Nano Brewery with Restaurant Option and Off-Premises Sampling / Retail Sales" (revised 8/2020) or "License Type Worksheet-Nano Brewery Option and Off-Premises Sampling / Retail Sales (No Restaurant Option)" (revised 8/2020) providing all required information, acknowledgments, and attach the following:

- (a) For a nano brewery with the restaurant option, a completed form LTW-03 "Restaurant"; and
- (b) For an off-premises sampling retail event, a copy of the authorization letter from the wine manufacturer allowing the applicant permission to conduct sampling and sales.

Liq 705.40 Tobacco Licenses. Applicants for a tobacco retailer, tobacco sampler or a tobacco vending license shall complete and submit Form LTW-17, "License Type Worksheet-Retail Tobacco / Tobacco Sampler / Tobacco Vending" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.41 Wine or Liquor Festival License. Applicants for a wine or liquor festival license shall complete and submit Form LTW-21, "License Type Worksheet-Wine Festival / Liquor Festival" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.42 Sports Entertainment Complex. Applicants for a sports entertainment complex license shall complete and submit Form LTW-43, "License Type Worksheet-Sports Entertainment Complex" (revised 8/2020) providing all required information, acknowledgments, and attach a copy of the applicant's contract for operating under this license if the applicant is not the owner of the complex.

Liq 705.43 Wine Manufacturer Retail Outlet. Applicants for a wine manufacturer retail outlet license shall complete and submit Form LTW-29, "License Type Worksheet-Wine Manufacturer Retail Outlet" (revised 8/2020) providing all required information and acknowledgments.

Liq 705.44 RESERVED

**Readopt with amendment and renumber Liq 707, effective 10-22-13 (Doc. # 10443), as Liq 706 to read as follows:**

**PART Liq 706 PHYSICAL REQUIREMENTS REQUIRED FOR NEW OR RENEWAL APPLICATIONS FOR LICENSES**

Liq 706.01 Liquor/Rectifier Manufacturer's Requirements.

(a) Applicants for a liquor or rectifier manufacturer license shall have a securable premises located within the boundaries of New Hampshire capable of manufacturing the products to be sold according to any laws or rules provided pursuant to RSA 143-A.

(b) Each manufacturer or rectifier shall have an office located on the premises where receiving reports, shipping papers, packing slips, shipping reports, and other related records for the business shall be stored for all transactions of the liquor manufacturer or rectifier.

Liq 706.02 Liquor/Wine/Beverage Warehouse Requirements.

(a) Applicants for a liquor/wine/beverage warehouse license shall have a securable warehouse facility located within the state of New Hampshire.

(b) Each warehouse shall be equipped with loading docks or other arrangements to facilitate the loading or unloading of stock.

(c) Each warehouse shall be equipped at their own expense with a computer inventory control system capable of interfacing with the commission's computer system.

(d) Each warehouse shall have an office located on the premises where receiving reports, shipping papers, packing slips, shipping reports, and other related records for the business shall be stored for all transactions of the warehouse.

Liq 706.03 Wine Manufacturer Requirements.

(a) Applicants for a wine manufacturer license shall have a securable premises located within the boundaries of New Hampshire capable of manufacturing the products to be sold according to any laws or rules provided pursuant to RSA 143-A.

(b) Each wine manufacturer shall have an office located on the premises where receiving reports, shipping papers, packing slips, shipping reports, and other related records for the business shall be stored for all transactions of the wine manufacturer.

(c) Each wine manufacturer shall have a separate, securable room for storage.

(d) Each wine manufacturer wishing to conduct a tasting on their premises shall have a room or rooms to conduct the tasting in, which may be the same room as in paragraph (c).

**Liq 706.04 Liquor and Wine Representative Requirements.**

(a) Each applicant for a liquor and wine representative license shall designate a resident agent who resides in the state of New Hampshire, and that resident agent shall be responsive, on behalf of the applicant, to all notices, inquiries, and directives from the commission and shall accept service of process, on behalf of the applicant.

(b) Any notice or communication of any kind by the commission to the resident agent shall carry full force and effect as though provided directly to the liquor and wine representative at the time that it is communicated to the resident agent.

**Liq 706.05 Beverage Manufacturer License Requirements.**

(a) Applicants for a beverage manufacturer license shall have a securable premises located within the boundaries of New Hampshire capable of manufacturing the products to be sold according to any laws or rules provided pursuant to RSA 143-A.

(b) Each beverage manufacturer shall have an office located on the premises where receiving reports, shipping papers, packing slips, shipping reports, and other related records for the business shall be stored for all transactions of the beverage manufacturer.

(c) Applicants for a beverage manufacturer license shall have a securable warehouse facility located within the state of New Hampshire.

(d) A beverage manufacturer's hospitality room shall:

(1) Be a separate room on the licensed premises with seating accommodations as required by RSA 179:27;

(2) Have a valid permit of assembly issued by local or state fire authorities; and

(3) Shall have a valid license issued pursuant to RSA 143-A.

**Liq 706.06 Wholesale Distributor License Requirements.**

(a) Applicants for a wholesale distributor license shall have a securable warehouse facility located within the state of New Hampshire.

(b) Each wholesale distributor shall have an office located on the premises where receiving reports, shipping papers, packing slips, shipping reports and other related records for the business shall be stored for all transactions of the wholesale distributor.

(c) Those wholesale distributors that seek to sell case lots of beverages to the public shall maintain a separate room that may be the same as in paragraph (b).

(d) This room shall be equipped with a cash register or other computerized billing system for recording sales of beverages under the off-premises provisions of the license.

(e) Any on-premises license issued to a wholesale distributor under the provisions of RSA 178:16, III in the same building shall be a separate securable premises from that of the wholesale distributor's wholesale operation.

(f) Any on-premises license issued to a wholesale distributor shall meet all requirements for that license type.

**Liq 706.07 Combination License Requirements.**

(a) Combination licensees shall have a separate and securable premises with no interior connections to another business or another person's private property as required by RSA 179:48, IV.

(b) Each premises licensed shall have at least one cash register, shelving, or other accommodation for retail display and refrigeration for perishable products.

**Liq 706.08 Retail Table Wine License Requirements.**

(a) Retail table wine licensees shall have a retail business other than sale of alcoholic beverage or wine in order to qualify for a license.

(b) Retail table wine licensees shall have a separate and securable premises with no interior connections to other businesses as required by RSA 179:48, IV.

(c) Each premises licensed shall have at least one cash register and shelving, or other accommodation for retail display.

(d) On-premises licensees who are licensed under RSA 178:19, III shall maintain a separate room(s) for storage, shelving, and display of table wines with at least one cash register.

**Liq 706.09 On-premises Beverage and Wine License Requirements.**

(a) On-premises beverage and wine licensees shall only serve beverage and wine in licensed areas at such times as food is available.

(b) Bed and breakfasts shall:

(1) Meet the definition of RSA 175:1, VI;

(2) Be licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1;

(3) Have toilet facilities available meeting the requirements of RSA 143-A;

(4) Have dining areas with seating for guests as required by RSA 179:27;

(5) Have hot and cold cooking and preparation areas capable of servicing at least the maximum number of registered guests at a time;

(6) Have family style or dining areas with wait service capable of seating the maximum number of registered guests at one time;

(7) Have a posted room rate that includes breakfast; and

(8) Have a securable area for the storage of their beverage and wine.

(c) Dining cars meeting the definition of RSA 175:1, XXIX shall have:

- (1) Dining areas meeting the provisions of RSA 179:27 and hot and cold food preparation areas capable of servicing at least the maximum capacity of the dining car licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable;
  - (2) Wait service provided for the safety of the passengers; and
  - (3) A securable area for the storage of their beverage and wine.
- (d) Vessels meeting the definition of RSA 175:1, LXV shall have:
- (1) Areas capable of servicing at least the maximum number of passengers on the vessel at a time licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable including provisions for cold food consisting of, but not limited to:
    - a. Cold food storage and preparation area; or
    - b. Cold storage for prepackaged foods; and
  - (2) A securable area for the storage of their beverage and wine.
- (e) Restaurants meeting the definition of RSA 175:1, LIX shall have:
- (1) Dining areas with seating for 20 patrons meeting the provisions of RSA 179:27 and food service preparation and cooking areas capable of servicing the licensed dining areas, pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable including both hot and cold food preparation areas;
  - (2) Wait service as an option in the cafeteria or self-service restaurant operations; and
  - (3) A securable area for the storage of their beverage and wine.

**Liq 706.10 On-Premises Beverage and Liquor License Requirements.**

- (a) On-premises beverage and liquor licensees except vessels, shall serve beverage and liquor in dining rooms of full service restaurants as defined by RSA 175:1, XXXIII, pursuant to the requirements of RSA 178:20, II using:
- (1) Standard metal or plastic flatware;
  - (2) Glassware or drinking containers other than paper; and
  - (3) Plates at such times as full course meals as defined by RSA 175:1, XXXII are being served;
- (b) In addition to Liq 706.10(a), bed and breakfasts shall:
- (1) Meet the definition of RSA 175:1, VI;
  - (2) Be licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1;
  - (3) Have toilet facilities available meeting the requirements of RSA 143-A;

- (4) Have dining areas with seating for guests as required by RSA 179:27;
  - (5) Have hot and cold food preparation areas capable of servicing at least the maximum number of registered guests at a time;
  - (6) Have family style or dining areas with wait service capable of seating the maximum number of registered guests at one time;
  - (7) Have a posted room rate that includes breakfast; and
  - (8) Have a securable area for the storage of their beverage and liquor.
- (c) In addition to Liq 706.10(a), dining cars meeting the definition of RSA 175:1, XXIX shall have:
- (1) Dining areas meeting the provisions of RSA 179:27 and food service preparation areas capable of servicing the maximum capacity of the dining car at a time licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable including both hot and cold food preparation areas;
  - (2) Wait service provided for the safety of the passengers; and
  - (3) A securable area for the storage of their beverage and liquor.
- (d) Vessels meeting the definition of RSA 175:1, LXV shall have:
- (1) Areas capable of servicing at least the maximum number of passengers on the vessel at a time licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable including provisions for cold food consisting of, but not limited to:
    - a. Cold food preparation and storage area; or
    - b. Cold storage for prepackaged foods; and
  - (2) A securable area for the storage of their beverage and liquor.
- (e) In addition to Liq 706.10(a), full service restaurants meeting the definition of RSA 175:1, LIX and RSA 175:1, XXXIII shall have:
- (1) Dining rooms or function rooms meeting the provisions of RSA 179:27, rest rooms, and both hot and cold food preparation areas capable of servicing at least 20 patrons at a time licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable;
  - (2) Wait service provided to the table or other licensed seating area; and
  - (3) A securable area for the storage of their beverage and liquor.
- (f) In addition to Liq 706.10(a), hotels meeting the definition of RSA 175:1, XXXVII with full service restaurants meeting the definition of RSA 175:1, LIX and RSA 175:1, XXXIII shall have:
- (1) Dining rooms or function rooms meeting the provisions of RSA 179:27, rest rooms, and both hot and cold food preparation areas capable of servicing at least 20 patrons at a time licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable;



- (2) Wait service provided to the licensed seating areas; and
- (3) A securable area for the storage of their beverage and liquor.

Liq 706.11 On-Premises Cocktail Lounge Licenses. Except for one day and performing arts facility licenses, all applicants for a cocktail lounge license shall:

(a) Have a separate room, or in the case of a vessel, designated areas with seating for passengers, operated for the purpose of serving liquor and beverage without food meeting the definition of RSA 175:1, XXIII with rest room facilities;

(b) Except in the case of a vessel, have a fully equipped service bar as defined by RSA 175:1, LXI with room for display of stock and the preparation, refrigeration, and service of liquor and beverages licensed pursuant to RSA 143-A, RSA 47:17, or RSA 147:1 as applicable;

(c) Be independently securable or shall have a securable area for the storage of beverage and liquor;

(d) In addition to the requirements of Liq 707.11(a) through (c):

(1) The holder of an alpine slide cocktail lounge license shall have:

a. A public alpine slide facility as defined by RSA 175:1, IV whose passenger tramway device is currently registered by the New Hampshire passenger tramway safety board; and

b. Securable premises in a building open to the public in which the cocktail lounge shall be housed;

(2) The holder of a ballroom cocktail lounge license shall have:

a. Securable premises in a building open to the public in which the cocktail lounge shall be housed meeting the definition of RSA 175:1, V;

b. A securable room or area for the storage of alcoholic beverages and liquor for those licensees utilizing the provisions of RSA 178:22, V(c)(2) during the times when the privilege is being exercised; and

c. A separate room for the service of private groups in addition to the public areas of the ballroom for those ballroom licensees wishing to remain open to the public while serving private groups under a supplemental license issued pursuant to RSA 178:22, V(c)(3);

(3) The holder of a bowling facility cocktail lounge license shall have:

a. Securable premises in a building open to the public in which the bowling facility as defined by RSA 175:1, XII shall be housed; and

b. A separate securable room in the same facility to house the cocktail lounge;

(4) The holder of a caterer's cocktail lounge license shall have:

a. For an off-premises caterer's license, either possession of a convention center cocktail lounge license, a full service restaurant license or a full service hotel license issued by the commission or premises required by RSA 175:1, XV(b); or

b. For an on-premises caterer's license, securable premises in a building with permanent kitchen and dining facilities as defined by RSA 175:1, XVI, with seating meeting the requirements of RSA 179:27 and the facilities listed below:

1. Kitchen preparation and cooking areas capable of servicing 100 patrons at a time when the food is prepared and cooked on the premises, including both hot and cold food preparation areas; and

2. When the food is prepared off the premises by a subcontractor, kitchens shall have a preparation area, refrigeration, and warming or holding devices meeting standards required by local or state health departments pursuant to RSA 143-A, RSA 47:17, or RSA 147:1;

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(5) The holder of a college club cocktail lounge license shall have a securable premises in a building housing the cocktail lounge facility which is under the control or ownership of that accredited college or university;

(6) The holder of a military club cocktail lounge license shall have a securable room which is not open to the public, housing the cocktail lounge on the premises of a National Guard Armory;

(7) The holder of a private, veterans, or social club cocktail lounge license shall have:

a. A secured access, by key, electronic pass, or buzzer system to the premises housing the cocktail lounge facility open to members and their guests only; and

b. A separate rental hall facility with an entrance and rest rooms and with either a temporary or permanent service bar separate from the social or veterans club cocktail lounge for those clubs desiring a supplemental club license;

(8) The holder of a convention center cocktail lounge license shall have:

a. Securable premises in a building meeting the definition of RSA 175:1, XXVI; and

b. Permanent non-moveable partitions separating the dining room(s) from the cocktail lounge(s) and other convention rooms;

(9) The holder of a golf facility cocktail lounge license shall have:

a. A golf facility as defined by RSA 175:1, XXXV; and

b. A securable premises in a building on the premises of the golf facility;

(10) The holder of a full service hotel cocktail lounge license shall have permanent non-moveable partitions separating the dining room(s) from the cocktail lounge(s);

(11) The holder of a one day license cocktail lounge license shall have:

- a. A public building as defined by RSA 175:1, LV-a that is not the premises of another licensee, but which may be rental facilities meeting the requirements of Liq 501.13(b) on licensed social or veterans club premises;
- b. A clearly defined area for service for outdoor areas fenced so as to delineate exactly what is the lounge area, constructed in such a manner to exclude patrons under age 18 who are not accompanied by a parent or guardian; and
- c. A licensed area equipped with at least a portable service bar as defined by RSA 175:1, LXII at such times as beverage or liquor are being served or sold;

(12) The holder of a performing arts facility cocktail lounge license shall have:

- a. A performing arts facility as defined by RSA 175:1, LII with audience seating for at least 50 patrons; and
- b. Securable premises equipped with at least a portable service bar as defined by RSA 175:1, LXII, at such times as beverage or liquor are being served or sold on the premises of the performing arts facility;

(13) The holder of a racetrack facility cocktail lounge license shall have:

- a. Either a pari-mutuel or commercial motor vehicle racetrack facility as defined in RSA 175:1, LVI;
- b. A securable premises in a building on the premises of the race track facility, or in the case of a commercial motor vehicle race track facility licensed pursuant to RSA 178:22, V(n)(2), at least one securable beverage service facility and a beverage storage area that are secured when unattended;
- c. Food service available to patrons; and
- d. All service areas for alcoholic beverages other than the cocktail lounge defined by ropes, barriers or segregated in such a manner as to be clearly defined, with signs stating they are areas where alcoholic beverage service is allowed;

(14) The holder of a racquet sports facility cocktail lounge license shall have:

- a. A racquet sports facility as defined in RSA 175:1, LVII; and
- b. Securable premises in a building on the premises of the racquet sports facility;

(15) The holder of a rail car cocktail lounge license shall have:

- a. A securable rail car as defined in RSA 175:1, LVIII licensed or inspected by the New Hampshire department of transportation or other applicable agency; and
- b. The rail car coupled to the train in such a manner as not to require passengers under 18 years of age and unaccompanied by their parent or guardian to be seated or otherwise remain in the cocktail lounge;

- (16) The holder of a full service restaurant cocktail lounge license shall have:
- a. Permanent non-movable partitions separating the dining room(s) from the cocktail lounge(s); and
  - b. The cocktail lounge connected to the full service dining room by an interior connection or by a common foyer that is part of the licensed premises;
- (17) The holder of a ski area cocktail lounge license shall have:
- a. Either a cross country ski facility, or a downhill ski facility as defined by RSA 175:1, LXIV; and
  - b. Securable premises in a building on the contiguous property of the ski area or immediately adjacent to the property of the ski area;
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- (18) The holder of a vessel cocktail lounge license shall have:
- a. A vessel as defined by RSA 175:1, LXV;
  - b. A service bar whether permanent or temporary at such times as beverage or liquor is being served or sold on the vessel; and
  - c. A securable area for the storage of their beverage and wine; and
- (19) The holder of a billiards/pool hall license shall have:
- a. Securable premises in a building open to the public in which the billiard/pool hall facility as defined by RSA 175:1, XI-b shall be housed;
  - b. Securable area(s) in the same building to house the cocktail lounge that shall be either the same area as a. above or accessible directly from that area; and
  - c. At least 12 regulation sized, non-coin operated, pool, billiard, pocket billiard, and/or snooker tables, or any combination thereof.

## APPENDIX

<b>RULE</b>	<b>STATUTE</b>
Liq 701	RSA 178 and RSA 176:14, VII
Liq 701.01(i)	RSA 179:59
Liq 701.01(n)	RSA 178:2
Liq 701.05(b)	RSA 6:11-a, I
Liq 701.05(d)	RSA 6:11-a
Liq 702	RSA 178:3 and RSA 176:14, VII
Liq 702.04(a)(2)	RSA 143-A
Liq 702.11(a)	RSA 178:2, II
Liq 702.11(b)	RSA 179:8
Liq 702.12	RSA 178:2
Liq 702.13(a)	RSA 178:2, V and RSA 541-A:30
Liq 703	RSA 178
Liq 704	RSA 178:3 and RSA 176:14, VII
Liq 704.02(a)	RSA 178:16, II
Liq 704.02(b) and (c)	RSA 178:26
Liq 704.02(d)	RSA 178:16
Liq 705	RSA 178:3
Liq 705.01	RSA 641:3
Liq 705.02(e) and Liq 705.03(e)	RSA 178:6, III
Liq 705.05(b)	RSA 348:1
Liq 705.06(c)	RSA 178:8, IV
Liq 705.06(o)	RSA 143-A
Liq 705.07(h)	RSA 178:9
Liq 705.07(i)	RSA 179:21
Liq 705.08(n)	RSA 179:26; RSA 179:27 and RSA 179:23, IV and V
Liq 705.10(b)	RSA 180
Liq 705.11(d)	RSA 178:16, II
Liq 705.13(h)	RSA 178:29 II
Liq 705.13(l)	RSA 178:18
Liq 705.15(a)	RSA 178:20, I and RSA 178:21, II(c)
Liq 705.15(a)(7)	RSA 143-A
Liq 705.15(b)	RSA 178:21, II(c)
Liq 705.16(a)	RSA 143-A
Liq 705.17(a)	RSA 143-A
Liq 705.17(e)	RSA 179:19
Liq 705.18(i)	RSA 143-A
Liq 705.19(d)	RSA 143-A
Liq 705.19(h) and (i)	RSA 178:22, V(e)(2)
Liq 705.20(e), Liq 705.21(f), and Liq 705.22(g)	RSA 143-A

Liq 705.23(d), Liq 705.24(a), and Liq 705.26(d)	RSA 143-A
Liq 705.26(f)	RSA 178:21, I
Liq 705.27(a)(8) and Liq 705.27(b)(9)	RSA 143-A
Liq 705.27(b)(10)	RSA 178:22, V(n)(2)
Liq 705.27(b)(11)(b)	RSA 179:39
Liq 705.28(a)	RSA 178:20, II; RSA 178:21, II; and RSA 178:22, V(p)
Liq 705.28(a)(6)	RSA 143-A
Liq 705.28(b)	RSA 178:20, II and RSA 178:21, II
Liq 705.28(b)(1)	RSA 143-A
Liq 705.28(b)(3)	RSA 178:21, II
Liq 705.28(c)	RSA 178:22, V(p)
Liq 705.29(a)	RSA 178:20, II
Liq 705.29(a)(3)	RSA 143-A
Liq 705.29(b)	RSA 178:21, II(a) or (b)
Liq 705.30(a)	RSA 178:20, II and RSA 178:21, II(e)
Liq 705.30(a)(3) and (6)	RSA 143-A
Liq 705.30(b)	RSA 178:22, V(s)(1)(A)
Liq 705.31(i)	RSA 178:18
Liq 705.32(f)	RSA 179.33, I and II
Liq 705.32(j)	RSA 180
Liq 705.32(k)	RSA 178:26, I
Liq 705.32(p)	RSA 143-A
Liq 705.33(a)	RSA 143-A
Liq 705.34(h)	RSA 179:5, I
Liq 705.37(e)	RSA 143-A
Liq 705.39(h)	RSA 179:26, I & II and RSA 179:23, IV or V
Liq 705.43(f)	RSA 143-A
Liq 706	RSA 178:3
Liq 706.01(a), Liq 706.03(a), and Liq 706.05(a)	RSA 143-A
Liq 706.05(d)(1)	RSA 179:27
Liq 706.05(d)(3)	RSA 143-A
Liq 706.06(d)	RSA 178:16, III
Liq 706.07(a) and Liq 706.08(b)	RSA 179:48, IV
Liq 706.08(d)	RSA 178:19, III
Liq 706.09(b)(2)	RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.09(b)(4)	RSA 179:27
Liq 706.09(c)(1)	RSA 179:27; RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.09(d)(1)	RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.09(e)(1)	RSA 179:27; RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.10(b)(2)	RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.10(b)(4)	RSA 179:27
Liq 706.10(c)(1)	RSA 179:27, RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.10(d)(1)	RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.10(e)(1)	RSA 179:27; RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.10(g)	RSA 179:27; RSA 143-A; RSA 47:17; and RSA 147:1

Liq 706.11(d)(2)(b)	RSA 178:22, V(c)(2)
Liq 706.11(d)(2)(c)	RSA 178:22, V(c)(3)
Liq 706.11(d)(4)(b)	RSA 179:27
Liq 706.11(d)(4)(b)(2)	RSA 143-A; RSA 47:17; and RSA 147:1
Liq 706.11(d)(13)(b)	RSA 178:22, V(n)(2)

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