Local Government Mandate Statement Kentucky Legislative Research Commission 2022 Regular Session

Part I: Measure Information

Bill Request #: 302
Bill #: HB 252 GA
Document ID #:6850
Bill Subject/Title: AN ACT relating to the age requirement for servicing alcoholic beverages.
Sponsor: Representative Killian Timoney
Unit of Government: X City X County X Urban-County Unified Local X Charter County X Consolidated Local X Government
Office(s) Impacted: Treasurer (occupational tax)
Requirement: X Mandatory Optional
Effect on Powers & Duties: Modifies ExistingX Adds New Eliminates Existing Powert H. Pill Provisions and the Estimated Fiscal Impact Polating to Legal

Part II: Bill Provisions and the Estimated Fiscal Impact Relating to Local Government

HB 252 GA would lower the legal age for selling and serving alcoholic beverages from 20 to 18 if the person is under the supervision of a person 20 years of age or older. This would include beer, wine, and spirits; and would include retail establishments. It would not include duties related to bartending.

HB 252 GA would also allow persons who are 18 years old and older to work in the warehouse of a wholesaler or distributor if the employment does not include the sale or service of alcoholic beverages and if under the supervision of an employee who is 21 years old or older.

The fiscal impact of HB 252 GA on local governments is undeterminable but expected to be minimal. Whether or not it would expand the occupational tax base is hard to assess. It is difficult to assess how many 18 and 19 year olds would be added to the workforce or if they would simply be changing jobs. If changing jobs, then they are currently paying

occupational taxes. There are several unknown factors regarding whether or not this age group would be taking jobs away from more mature servers or if any influx of employees would simply be a return to pre-COVID-19 employment levels. In the nine years preceding COVID-19 (2010-2019), the labor force participation rate for 16 to 19 year olds in Kentucky remained unchanged so it is doubtful this would have a significant impact on the number of new-hires.

However, since a number of alcohol-serving businesses have had trouble hiring and retaining employees over the past couple of years, passing HB 252 may alleviate their worries regarding hiring by making available a new source of eligible new-hires.

Below are the serving ages for the fifty states and the District of Columbia as of January 2021. 39 out of the 51 states have a minimum serving age of 18; 7 states have a minimum serving age of 19. Maine's serving age is 17. Only 3 states have serving age requirements higher than Kentucky.

	Minimum Age To Serve				Minimum Age To Serve		
State	Beer	Wine	Spirits	State	Beer	Wine	Spirits
Alabama	19	19	19	Missouri	18	18	18
Alaska	21	21	21	Montana	18	18	18
Arizona	18	18	18	Nebraska	19	19	19
Arkansas	19	19	19	Nevada	21	21	2
California	18	18	18	New Hampshire	18	18	18
Colorado	18	18	18	New Jersey	18	18	18
Connecticut	18	18	18	New Mexico	19	19	19
Delaware	18	18	18	New York	18	18	18
District of Columbia	18	18	18	North Carolina	18	18	18
Florida	18	18	18	North Dakota	18	18	18
Georgia	18	18	18	Ohio	19	19	19
Hawaii	18	18	18	Oklahoma	18	18	18
Idaho	19	19	19	Oregon	18	18	18
Illinois	18	18	18	Pennsylvania	18	18	18
Indiana	19	19	19	Rhode Island	18	18	18
lowa	18	18	18	South Carolina	18	18	18
Kansas	18	18	18	South Dakota	18	18	18
Kentucky	20	20	20	Tennessee	18	18	18
Louisiana	18	18	18	Texas	18	18	18
Maine	17	17	17	Utah	21	21	2
Maryland	18	18	18	Vermont	18	18	18
Massachusetts	18	18	18	Virginia	18	18	18
Michigan	18	18	18	Washington	18	18	18
Minnesota	18	18	18	West Virginia	18	18	18
Mississippi	18	18	18	Wisconsin	18	18	18
				Wyoming	18	18	18

^{*}KRS 244.090 currently states that a grocery or convenience store worker may be 18 years old and sell malt beverages. (see KRS 244.090(1)(c)(3): "At the premises licensed only with a nonquota retail malt beverage package license, and the person employed to sell malt beverages is at least eighteen (18) years of age and under the supervision of a person twenty (20) years of age or older or..."

Part III: Differences to Local Government Mandate Statement from Prior Versions

Part II refers to HB 252 GA.

HB 252 GA keeps all the provisions of HB 252 HCS 1. There are no changes.

HB 252 HCS 1 keeps all the provisions of HB 252 as introduced and makes the following addition:

- Allows persons who are 18 years old and older to work in the warehouse of a wholesaler or distributor if the employment does not include the sale or service of alcoholic beverages and if under the supervision of an employee who is 21 years old or older.

Data Source(s): LRC Staff, WLKY article "Proposed Kentucky Bill Would Lower Age

Requirement for People who Serve Alcohol; August 12, 2021, National

Institute on Alcohol Abuse and Alcoholism, U.S. Census Bureau

Preparer: Wendell F. Butler **Reviewer:** KHC **Date:** 3/3/22

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