



Mission: To improve public health in Maryland through education and advocacy Vision: Healthy Marylanders living in Healthy Communities

SB 833: Alcoholic Beverages – Sale or Delivery for Off-Premises Consumption

Hearing Date: February 23, 2024

Committee: Finance

Position: Unfavorable

On behalf of the Maryland Public Health Association’s Alcohol, Tobacco & Cannabis Network, we thank you all for your work to evaluate and establish alcohol regulations that will keep our communities, youth, and other at-risk populations safe. We are opposed to SB 833, which would make off-premise sales and deliveries of mixed alcoholic beverages and sealed containers from restaurants, bars, or taverns permanent.

Public health and substance misuse experts and advocates from across the state have shared their concerns on the possibility of making to-go and delivery alcohol sales permanent in Maryland. As a reminder, we supported the legislation in 2021 (HB12) that extended the Governor’s Executive Order with a sunset of two years and a number of guardrails. The expectation was that this was a stop-gap measure temporarily put into place, which has now sunset given the height of the pandemic is passed. It also required a report to study the expansion of alcohol access to be submitted to the General Assembly by December 31, 2022.

In response to anecdotal evidence that there have been limited problems associated with to-go alcohol sales, this evidence is absent. Due to limited resources and capacity of local liquor boards, robust assessments of this law when it was in effect has not been done. In one mystery shop evaluation performed in Montgomery County very early on, they found that only 15% of restaurants noted that an ID would be required to pick up an order and 55% of restaurants did not check the ID when the order was picked up.

Research has found that adults who use alcohol delivery services tend to drink on more days, drink heavier on those days, and report binge drinking more frequently. Delivery services have also been shown to be used to continue drinking sessions when they otherwise would have ended.

In addition to supporting heavier drinking, there is greater risk of increased youth access. Many delivery service laws use point of delivery ID checks. Compliance checks on these systems with underage youth find failure rates up to 58% of the time, compared with traditional brick and mortar businesses, which may have positive compliance rates of 80-99% of the time.

We urge an unfavorable report on SB 833.

The Maryland Public Health Association (MdPHA) is a nonprofit, statewide organization of public health professionals dedicated to improving the lives of all Marylanders through education, advocacy, and collaboration. We support public policies consistent with our vision of healthy Marylanders living in healthy, equitable, communities. MdPHA is the state affiliate of the American Public Health Association, a nearly 150-year-old professional organization dedicated to improving population health and reducing health disparities that plague our state and our nation.