



Welcome

2014- 2015 Special Event Planning



Why We're Here

1. Stress-free special event applications
2. 1-stop special event resource tools
3. New laws – make money!
stay compliant!



Why So Many Events?



1. Winter tourism
2. Holiday celebrations
November - January
3. Barrett-Jackson Auto Auction
January 11 through February 2, 2015

4. Waste Management Phoenix Open
Monday January 26 through Monday February 2, 2015

5. NFL Pro Bowl
Sunday, January 25, 2015

6. Super Bowl 49
Sunday, February 1, 2015



Steps To Apply?

- 1.If not on licensed premises, submit to city, town, municipality where event will take place
- 2.After their recommendation is determined, the City, town, municipality will submit the application to the Department of Liquor
- 3.Mail or walk-in your application with fee to the state, Department of Liquor
- 4.The Department of Liquor will issue your license via mail, email, fax, or pick-up



How Many Events Are Allowed?

1. Unlicensed Location = 12 per calendar year
A.R.S. §4-203.02(D)
2. Licensed Location = unlimited
A.R.S. §4-203.02(D)
3. Government-owned Location = unlimited
A.R.S. §4-203.02(D)
4. Applicant = 10 per calendar year
A.R.S. §4-203.02(E) A.A.C. R19-1-205(C)



How Much Does It Cost?

1. \$25 per day
A.R.S. §4-203.02(A)(1)
2. Applicant receives 25% of all spirituous liquor sold on-sale
A.R.S. §4-203.02(I)
3. Applicant receives 75% of gross receipts of off-sale (carry-out full bottles of unopened liquor) via auction
A.R.S. §4-203.02(H)

Event contracts must be documentation available to for review for two years after the event.

A.R.S. §4-203.02(E) and A.A.C. R19-1-501



The 10-day Law

A.R.S. §4-203.02(D)

Beginning on July 23, 2014, incomplete special event application received by the Department of Liquor less than 10-days prior to the event will not be processed.



What You May Need?

1. Application

2. Extension of Premises

when extending a liquor licensed premises

3. Letter of Agreement

when event is held on a liquor licensed premises

4. Contract

when event is being managed by a promoter or other person (#12 on application)



Letter of Agreement

1. submit as part of application;
2. include license number and physical address of location where event will be held;
3. verbiage must indicate that the licensee agrees to suspend all or a portion of their liquor license for the special event;
4. attach a diagram of the licensed location as submitted with the location application and illustrate the specific area where the event will be held and what areas of the licensed location will be suspended;
5. the date and hours of the suspension which must correspond with event date and hours;
6. ensure that the *Letter of Agreement* corresponds with the answers to #16 of the special event application;
7. Letter must be signed and by licensee/agent.



Contract

1. Between applicant and promoter or other person managing the event (#12 on special event application)
2. Must include:
 - duties of promoter or other person
 - notification that the organization will receive 25% of the sale of alcohol
 - notarized signature of promoter or other person and the organization applicant (officer, director, etc.)
3. Submit with application
4. Keep with event receipts for 2-years after event



Licensing Contact

Connie Wagner, Asst. Director of Licensing

Email: connie.wagner@azliquor.gov

Phone: 602-542-5141

Lee Hill, Communication Dir.

Email: lee.hill@azliquor.gov

Phone: 602-364-1936



4-203.02 Special event license; rules

1. A daily on-sale special event license authorizing the sale of spirituous liquor for consumption on the premises where sold. The fee for the license is twenty-five dollars per day. The director shall transfer the monies collected to the department of health services for the purpose prescribed in title 36, chapter 18, article 2.

Must receive at least twenty-five per cent of the gross revenues of ALL SPIRITUOUS LIQUOR SOLD



4-203.02 Special event license; rules

The director may adopt those rules the director determines are necessary to implement and administer this section including a limitation on the number of times during a calendar year a qualified organization may apply for and be issued a license under this section. The qualified organization issued a license pursuant to subsection A, paragraph 1 of this section must receive at least twenty-five per cent of the gross revenues of the special events, **which shall be supported by a contract between the parties to be supplied at the time of application.**



4-203.02 Special event license; rules

2. A daily off-sale special event license authorizing a charitable auction for the sale of spirituous liquor for consumption off premises. Only 20 cases annually

An organization that is issued a license pursuant to subsection A, paragraph 2 of this section shall receive at least **seventy-five per cent** of the gross receipts of the auction.



New

B. BEFORE THE DIRECTOR MAY ISSUE A TEMPORARY SPECIAL EVENT LICENSE, A SPECIAL EVENT THAT IS TO OCCUR AT AN OTHERWISE UNLICENSED LOCATION OR BY A LICENSEE AT A LOCATION THAT IS NOT FULLY WITHIN THE LICENSEE'S EXISTING LICENSED PREMISES **MUST BE APPROVED BY THE BOARD OF SUPERVISORS OF A COUNTY IF THE EVENT IS TO BE HELD IN AN UNINCORPORATED AREA OR BY THE GOVERNING BODY OF THE CITY OR TOWN IF THE EVENT IS TO BE HELD IN A CITY OR TOWN.**

C. THE APPROVAL PROCESS PRESCRIBED IN THIS SECTION DOES NOT APPLY TO **PHYSICAL LOCATIONS THAT ARE FULLY WITHIN PREMISES LICENSED PURSUANT TO THIS TITLE.**

D. A PHYSICAL LOCATION, OTHER THAN A PHYSICAL LOCATION THAT IS OWNED, OPERATED, LEASED, MANAGED OR CONTROLLED BY THE UNITED STATES, THIS STATE OR A CITY, TOWN OR COUNTY OF THIS STATE, THAT IS NOT LICENSED PURSUANT TO THIS TITLE MAY NOT BE ISSUED MORE THAN **TWELVE SPECIAL EVENT LICENSES** DURING THE SAME CALENDAR YEAR. ALL APPLICATIONS FOR A SPECIAL EVENT LICENSE ISSUED PURSUANT TO THIS SUBSECTION MUST BE SUBMITTED TO THE DEPARTMENT AT LEAST **TEN DAYS BEFORE THE SCHEDULED EVENT.**



The director may only issue the special event license to

1. political party
2. campaign committee supporting a candidate for public office or a ballot measure
3. organization formed for a specific charitable purpose
4. organization formed for a specific civic purpose
5. fraternal organization in existence for over five years with a regular membership
6. religious organization



Where can alcohol for Special Event come from

- Purchase from Licensee with off-sale privileges
- Purchase from Wholesaler
- Receive donation from Wholesaler, Producer, Farm Winery, Brewery or Producer (only for non-profit organization)



How many per location

Unlicensed locations under government control can have unlimited number of events occur on property (Tempe Town Lake)

Unlicensed locations not under government control are restricted to 12 events at the specific location (Warehouses, Empty Lots)



The Department shall issue a special event license to an entity authorized under A.R.S. § 4-203.02 (B)

For no more than **10 days** in each calendar year.



R19-1-318. Responsibilities of a Special Event Licensee

A. If a special event occurs at an otherwise unlicensed location, the **special event licensee** shall conduct all dispensing, serving, and selling of spirituous liquor;



If a special event occurs at the licensed premises of a licensed retailer, the special event licensee shall ensure that one of the following occurs during the special event:

4 Choices



Option I

The **licensed retailer places the license in non-use status** and **ceases to sell spirituous liquor** and the **special event licensee dispenses** and serves spirituous liquor and ensures that all sales of spirituous liquor comply with A.R.S. Title 4 and this Chapter;



Option 2

The licensed retailer dispenses and serves all spirituous liquor under the licensed retailer's license and the special event licensee does not dispense or serve spirituous liquor. The licensed retailer shall dispense and serve only spirituous liquor purchased from a wholesaler and ensure that all sales of spirituous liquor comply with A.R.S. Title 4 and this Chapter;



Option 3

The licensed retailer dispenses and serves all spirituous liquor under the special event license and the special event licensee does not dispense or serve spirituous liquor. The licensed retailer shall dispense and serve only spirituous liquor purchased by or donated to the special event licensee. Both the licensed retailer and special event licensee shall ensure that all sales of spirituous liquor comply with A.R.S. Title 4 and this Chapter; or



Option 4

The licensed premises of the licensed retailer are divided into two areas as follows:

- a. In the first area, the licensed retailer shall dispense and serve spirituous liquor that is purchased from a wholesaler and ensure that all sales of spirituous liquor comply with A.R.S. Title 4 and this Chapter; and
- b. In the second area, the special event licensee shall dispense and serve spirituous liquor purchased by or donated to the special event licensee and ensure that all sales of spirituous liquor comply with A.R.S. Title 4 and this Chapter.



If a special event involving sampling of spirituous liquor occurs at the licensed premises of a licensed retailer, the special event licensee shall comply with the procedures in A.R.S. § 4-243(B).



A.R.S. 4-244.43

For a person to purchase, offer for sale or use any device, machine or process which mixes spirituous liquor with pure oxygen or another gas to produce a vaporized product for the purpose of consumption by inhalation **OR**

TO ALLOW PATRONS TO USE ANY ITEM FOR THE CONSUMPTION OF VAPORIZED SPIRITUOUS LIQUOR.



R19-1-302. Repealed Knowledge of Liquor Law; Responsibility

A licensee shall take reasonable steps to ensure the following individuals acquire knowledge of A.R.S. Title 4 and this Chapter:

- 1.The licensee;
- 2.The manager;
- 3.Any employee who serves, sells, or furnishes spirituous liquor to a retail customer; and
- 4.Any individual who will be physically present and operating the licensed premises.



A.R.S. 4-243 Commercial coercion or bribery unlawful

It is unlawful for a person engaged in the business of distiller, vintner, brewer, rectifier, or blender or any other producer or wholesaler of any spirituous liquor, directly or indirectly, or through an affiliate:



1. To require that a retailer purchase spirituous liquor from the producer or wholesaler to the exclusion, in whole or in part, of spirituous liquor sold or offered for sale by other persons.

2. To induce a retailer by any form of commercial bribery to purchase spirituous liquor from the producer or wholesaler to the exclusion, in whole or in part, of spirituous liquor sold or offered for sale by other persons.

3. To acquire an interest in property owned, occupied or used by the retailer in the retailer's business, or in a license with respect to the premises of the retailer.



4. To furnish, give, rent, lend or sell to the retailer equipment, fixtures, signs, supplies, money, services or other things of value, subject to such exception as the rules adopted pursuant to this title may prescribe, having regard for established trade customs and the purposes of this subsection.

5. To pay or credit the retailer for advertising, display or distribution service, except that the director may adopt rules regarding advertising in conjunction with seasonal sporting events.

6. To guarantee a loan or repayment of a financial obligation of the retailer.

7. To extend credit to the retailer on a sale of spirituous liquor.



8. To require the retailer to take and dispose of a certain quota of spirituous liquor.

9. To offer or give a bonus, a premium or compensation to the retailer or any of the retailer's officers, employees or representatives.



New to this statute

It is unlawful for a retailer to request or knowingly receive anything of value that a distiller, vintner, brewer, rectifier or blender or any other producer or wholesaler is prohibited by subsection A or D from furnishing to a retailer, except that this subsection shall not prohibit special discounts provided to retailers and based on quantity purchases.



Participating in a special event.

1. A producer or wholesaler may furnish advertising, sponsorship, services, or other things of value at a special event at which spirituous liquor is sold if:

a. A special event license is issued for the special event. **A producer or wholesaler shall not pay for advertising, sponsorship, services, or other things of value until the wholesaler or producer confirms that a special event application has been submitted for approval**



Participating in a special event.

- b. The special event license is issued to a charitable, civic, religious, or fraternal organization;
- c. The special event license is not issued to a political committee or organization;
- d. The producer or wholesaler ensures that **nothing of value given to a licensed retailer or employees of a licensed retailer during or after the special event is left on the licensed premises of a licensed retailer** except that the wholesaler may leave items of value with the licensed retailer or at the licensed premises if the retailer is an on-sale retailer and leaving the items of value complies with the restrictions at A.R.S. § 4-243(D); and



Participating in a special event.

e. The producer or wholesaler pays financial sponsorship, if any, to the organization to which the special event license is issued.



Participating in a special event.

2. A producer or wholesaler may donate spirituous liquor to a special event licensee identified under subsection (C)(1)(b).

3. A producer or wholesaler may dispense spirituous liquor donated by the producer or wholesaler at a special event.

4. A **producer or wholesaler may provide a sign to a special event licensee** identified under subsection (C)(1)(b). If the producer or wholesaler provides a sign to a special event licensee, the sign is not subject to R19-1-313.

5. A producer or wholesaler may **furnish a vehicle** for use by a special event licensee identified under subsection (C)(1)(b). The producer or wholesaler shall ensure the vehicle is used to dispense spirituous liquor only **during the days of the special event**.



Providing an item of value to a customer of a licensed retailer

1. The item is provided directly to the customer
2. The item provided has a value less than \$5 and bears advertising
3. The producer or wholesaler shall ensure that the total value of all items provided does not exceed \$100
4. The producer or wholesaler ensures that **no item of value is provided to the licensed retailer or an employee of the licensed retailer or is left on the licensed premises.**



ID's

1. An unexpired driver license issued by any state, **THE DISTRICT OF COLUMBIA, ANY TERRITORY OF THE UNITED STATES** or Canada if the license includes a picture of the licensee **AND THE PERSON'S DATE OF BIRTH. A DRIVER LICENSE ISSUED TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE IS NO LONGER AN ACCEPTABLE TYPE OF IDENTIFICATION UNDER THIS PARAGRAPH THIRTY DAYS AFTER THE PERSON TURNS TWENTY-ONE YEARS OF AGE.**



ID's

2. **AN UNEXPIRED** nonoperating identification license issued pursuant to section 28-3165 or an equivalent form of identification license issued by any state, **THE DISTRICT OF COLUMBIA, ANY TERRITORY OF THE UNITED STATES** or Canada if the license includes a picture of the person and the person's date of birth. **AN UNEXPIRED NONOPERATING LICENSE ISSUED TO A PERSON WHO IS UNDER TWENTY-ONE YEARS OF AGE IS NO LONGER AN ACCEPTABLE TYPE OF IDENTIFICATION UNDER THIS PARAGRAPH THIRTY DAYS AFTER THE PERSON TURNS TWENTY-ONE YEARS OF AGE.**



ID's

3. An **UNEXPIRED** armed forces identification card **THAT INCLUDES THE PERSON'S PICTURE AND DATE OF BIRTH.**

4. A valid unexpired passport or **A VALID UNEXPIRED RESIDENT ALIEN** card that contains a photograph of the person and the person's date of birth.



Contact Information

Craig Miller

(602) 542-9041

Craig.miller@azliquor.gov



