

STATE OF MAINE

IN THE YEAR OF OUR LORD  
TWO THOUSAND AND FIFTEEN

H.P. 514 - L.D. 761

**An Act To Authorize Free Samples of Liquor by a Restaurant**

Be it enacted by the People of the State of Maine as follows:

**Sec. 1. 28-A MRSA §709, sub-§2, ¶¶J and K**, as enacted by PL 2011, c. 629, §15, are amended to read:

J. Providing samples authorized under section 1355-A, 1402, 1402-A or 1504; ~~or~~

K. Donations authorized under section 708-B; ~~or~~

**Sec. 2. 28-A MRSA §709, sub-§2, ¶L** is enacted to read:

L. Licensees offering complimentary samples of wine under section 1055.

**Sec. 3. 28-A MRSA §1055** is enacted to read:

**§1055. Liquor samples at restaurants**

**1. Liquor samples at restaurants.** A restaurant licensed by the bureau as a Class A restaurant or a Class A restaurant/lounge may offer complimentary samples of malt liquor, wine or spirits to a customer, subject to the following conditions:

A. A sample may not be given to a person under 21 years of age;

B. A person may not be provided more than 3 samples per day, and samples are subject to the following size limits:

(1) A sample of malt liquor may not exceed 3 ounces;

(2) A sample of wine may not exceed one ounce; and

(3) A sample of spirits may not exceed 1/2 of one ounce;

C. A person who is visibly intoxicated may not be served;

D. The sampling must be conducted during regular business hours of the Class A restaurant or Class A restaurant/lounge and must take place on the licensed premises

only in areas of the Class A restaurant or Class A restaurant/lounge where liquor is normally served to customers;

E. Samples may be provided only by employees of the Class A restaurant or Class A restaurant/lounge;

F. Wine or malt liquor served as a sample must be purchased from a wholesale licensee; and

G. Spirits served as a sample must be purchased from the State or the State's contracted wholesaler.