

LAWS OF DELAWARE  
VOLUME 83  
CHAPTER 438  
151st GENERAL ASSEMBLY  
FORMERLY  
HOUSE BILL NO. 463

AN ACT TO AMEND TITLE 4 OF THE DELAWARE CODE RELATING TO ALCOHOLIC LIQUORS.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF DELAWARE:

Section 1. Amend § 101, Title 4 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows and by redesignating accordingly:

§ 101. Definitions.

As used in this title, in addition to their usual meaning:

(50) “Third-party delivery service” means a company, organization, or entity that is outside of the operation of an establishment’s business and acts as an intermediary to provide food-delivery services to customers.

Section 2. Amend § 904, Title 4 of the Delaware Code by making deletions as shown by strike through and insertions as shown by underline as follows:

§ 904. Offenses concerning certain persons.

(d) Except as provided in ~~subsection~~ subsections (h) and (n) of this section, whoever, being the holder of a license to operate a tavern or taproom, admits or permits to remain in such tavern or taproom any individual under the age of 21 years, shall be fined not more than \$100.

(e) Except as provided in ~~subsection~~ subsections (h) and (n) of this section, whoever, being under the age of 21 years, enters or remains in a tavern, taproom or package store, or while therein possesses at any time alcoholic liquors, shall be fined \$50.

(h) Nothing in this section ~~shall prevent~~ prevents any of the following:

(1) the ~~The~~ employment of a person 18 years of age or older to serve alcoholic liquor to patrons of establishments licensed under this title for the on-premises sale and consumption of alcoholic liquor, ~~excepting taverns and taprooms.~~ liquor.

(2) The employment of a person 18 years or older to work in any capacity in a tavern or taproom, except a person less than 21 years old may not prepare alcoholic liquor for patrons of a tavern or taproom. A person 18 years or older may sell or serve alcoholic liquor for patrons of a tavern or taproom.

(3) A person 18 years of age or older to enter a tavern or taproom to pick up a food order for delivery through a third-party delivery service.

Approved October 3, 2022