



Amended by the Chancellor on June 4, 2013

**Minnesota State Colleges and Universities  
System Procedures  
Chapter 5 – Administration  
Procedures associated with Board Policy 5.18**

**5.18.2 Check List for Events involving Alcoholic Beverages or 3.2% Malt  
Liquor**

Prior to an event involving service of alcoholic beverages or 3.2% malt liquor taking place, presidents approving an event must use this form in order to comply with System Procedure 5.18.1 to address potential legal, liability and insurance issues. (See the attached instructions for further explanation of each of these items.) A copy of this form must be retained at the campus for a period of six years.

**MnSCU INSTITUTION:**

**NAME/DESCRIPTION OF EVENT:** (Include type of alcohol to be served):

**DATE AND TIME OF EVENT:**

**SPONSOR OF EVENT:**

**LOCATION OF EVENT:**

**MnSCU INSTITUTION CONTACT PERSON:**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**SPONSOR RESPONSIBLE PERSON:**

Name: \_\_\_\_\_  
Title: \_\_\_\_\_  
Address: \_\_\_\_\_  
Telephone: \_\_\_\_\_

**DISPENSING of BEVERAGES:** Indicate who will dispense the beverages and how that person/group will be paid. (See instructions under “How Liquor is Dispensed” for assistance.):

**INSURANCE PROVIDED:**

Name of Insurance Company: \_\_\_\_\_

Name of Agent/Agency: \_\_\_\_\_

Coverage Limits: Indicate (and identify) if insurance is held by organization other than state or event sponsor.

**LICENSE REQUIRED BY MUNICIPALITY?**

If so, has it been secured? \_\_\_\_\_

In whose name is the license issued?

**SOURCE OF FUNDING:**

**APPROVED:**

\_\_\_\_\_  
President

\_\_\_\_\_  
Date:

## **Instructions for Completion of Event Approval Check List for MnSCU Policy 5.18, Alcoholic Beverages or Controlled Substances on Campus**

A review of the following information and completion of the approval form is required prior to approval of an event at which alcoholic beverages or 3.2 percent malt liquor will be served.

**MnSCU INSTITUTION:** Indicate on which campus the event will be held.

**NAME/DESCRIPTION OF EVENT:** Indicate the name of the event (if there is one, e.g. A Founders Club Banquet or University Spring Fling.) Give a brief description of the event and its purpose. Since the law is different for types of beverages being served, the type of beverage should also be indicated. See the glossary of terms below for guidance.

**DATE AND TIME OF EVENT:** self explanatory.

**SPONSOR OF EVENT:** Indicate if there is a campus club or group, local community organization, or other group that is the actual promoter of the event. This should be the group, organization or individual that is organizing the event.

Please note that under Minn. Stat. § 340A.507, subd.4. manufacturers, wholesalers, and/or retailers of alcoholic beverages are prohibited from conducting, sponsoring or contributing financially to campus located events involving the consumption or sale of alcoholic beverages. This prohibition does not affect on-campus, licensed retailers of alcoholic beverages.

**HOW LIQUOR IS DISPENSED:** It is important to identify who will dispense the beverages and how that person/group will be paid. If the event is catered and the college or university only provides the location, then the state host liquor coverage will defend the institution in the event a claim is brought against it only if the event is catered and the college or university provides only the location, not liquor service.

**LOCATION OF EVENT:** Indicate where on campus the event is to be held. If this is an off-campus event (albeit sponsored by the institution), indicate the off-campus location.

**MnSCU INSTITUTION CONTACT PERSON:** This is the individual that the chancellor or others can go to for specific information about the event. This will be the primary contact person for information at the campus.

**SPONSOR RESPONSIBLE PERSON:** This is the primary contact person in the group or organization that is sponsoring the event. This may or may not be a state employee.

**INSURANCE PROVIDED:** This insurance information is extremely important. The state is not insured for dram shop (liquor event) liability. This insurance must be purchased by the event sponsor. If the sponsor is a state agency (other than MnSCU), the insurance must be purchased through the Department of Administration Risk Management Division per Minn. Stat. § 16B.85. If a MnSCU institution (per Minn. Stat. § 15.38, subd. 3) is the sponsor, the insurance must be purchased either on the local market or by arrangement through the Department of Administration Risk Management Division. For state agencies and MnSCU, insurance up to the statutory limits must be provided (consistent with Minn. Stat. § 3.736, Subd. 4, the minimum coverage shall be

\$500,000 per person/\$1,500,000 occurrence). If the event sponsor is not a state agency or MnSCU, insurance must be purchased in the local market with minimum limits of \$2,000,000 per occurrence/\$2,000,000 annual aggregate. The institution, MnSCU and the State of Minnesota must be added as an Additional Insured on the sponsor's policy. (For example, frequently a group such as the local Jaycees or Lions will host the event, and they usually already have this kind of insurance.) If the institution purchases its own insurance coverage, it must do so with non-state money

If the event sponsor is not a state agency or MnSCU, general liability insurance must also be purchased in the local market with minimum limits of \$2,000,000 per occurrence/\$2,000,000 annual aggregate. The institution, MnSCU and the State of Minnesota must be added as an Additional Insured on the sponsor's policy. The institution is expected to file a copy of the evidence of insurance with the completed checklist and retain for a period of six years.

**LICENSE INFORMATION:** Most municipalities require a license for events where alcohol or 3.2 percent malt liquor beverages are being sold. There may be other local restrictions on the service of alcohol as well. The institution and/or sponsor must check with the local authorities in order to determine if the contemplated event is one that requires some type of license. If a license is required, a copy must be retained in the event file.

**SOURCE OF FUNDING:** As noted above, no state money may be used to purchase, serve, or underwrite the sale or service of alcoholic beverages or 3.2 percent malt liquor. This includes state general fund, and grant funds. Student activity funds are considered to be "state money" even though the expenditure of these funds for this purpose does not go through the state treasury. Spending should generally be limited to donated or foundation money. Please call for guidance on specific questions. If there is a cash bar or the beverages are included in the price of the ticket, the school should not become involved in the financial transaction. Contributions by the foundation or a business should be separate transactions and not a part of the liquor event.

Under Minn. Stat. Ch. 340A, payment or donations to an event where alcohol service is incidental to or part of a meal is also subject to licensure requirements.

## GLOSSARY OF TERMS

**ALCOHOLIC BEVERAGE.** An "alcoholic beverage" is any beverage containing more than one-half of one percent alcohol by volume.

**DISTILLED SPIRITS.** A "distilled spirit" is ethyl alcohol, hydrated oxide of ethyl, spirits of wine, whiskey, rum, brandy, gin, and other distilled spirits, including all dilutions and mixtures thereof, for nonindustrial use.

**INTOXICATING LIQUOR.** An "intoxicating liquor" is ethyl alcohol, distilled, fermented, spirituous, vinous, and malt beverages containing more than 3.2 percent of alcohol by weight.

**LOW ALCOHOL MALT LIQUOR.** A "low alcohol malt liquor" is a fermented malt beverage containing two percent or less of alcohol by weight. Notwithstanding any law or rule to the contrary, if either: (a) the term "low alcohol" appears on the label of the beverage container; or (b) a brewer has provided written certification to the Department of Public Safety establishing an

alcoholic content of two percent or less by weight; no further label shall be required on that container.

**MALT LIQUOR.** A “malt liquor” is any beer, ale, or other beverage made from malt by fermentation and containing not less than one-half of one percent alcohol by volume.

**3.2 PERCENT MALT LIQUOR.** (Previously termed Non-Intoxicating Malt Liquor) A “3.2 percent malt liquor” is malt liquor containing not less than one-half of one percent alcohol by volume nor more than 3.2 percent alcohol by weight.

**OFF-SALE.** An “off-sale” is the sale of alcoholic beverages in original packages for consumption off the licensed premises only.

**ON-SALE.** An “on-sale” is the sale of alcoholic beverages for consumption on the licensed premises only.

**WINE.** A “wine” (formerly called vinous spirits) is the product made from the normal alcoholic fermentation of grapes, including still wine, sparkling and carbonated wine, wine made from condensed grape must, wine made from other agricultural products than sound, ripe grapes, imitation wine, compounds sold as wine, vermouth, cider, sherry and sake, in each instance containing not less than one-half of one percent nor more than 24 percent alcohol by volume for nonindustrial use. Wine does not include distilled spirits as defined above.

**WINE TASTING.** “Wine tasting” (Minn. Stat. § 340A.418) is an event of not more than four hours’ duration at which persons pay a fee or donation to participate, and are allowed to consume wine by the glass without paying a separate charge for each glass.

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*Date of Implementation:* 10/10/96,

*Date of Adoption:* 10/10/96,

*Date and Subject of Revision:*

*6/04/13 - Language was added in the instruction checklist that draws attention to a state law prohibiting manufacturers, wholesalers and retailers of alcoholic beverages from sponsorship of events involving alcohol consumption on campuses and specifies document retention requirements. Other technical changes were made.*

*9/17/10 - Insurance requirements updated*

*6/14/10 - Insurance requirements updated*

*7/01/09 - Insurance limits have been updated as well as the Department of Administration contacts.*

*8/04/04 - technical change to clause titled “Insurance Provided” – Due to Fred Johnson's retirement from the Department of Administration / Risk Management Division, the contact reference was changed – information verified by Kevin Marsh, MnSCU Director of Financial Planning*

*10/29/02 - Risk Mgmt increased the insurance requirements*

*6/21/00 - Contains language formerly in system procedure 1A.9.1 - checklist;*