

Serving Alcohol in Licensed Assisted Living Facilities (ALFs)

A Practical Guide to Determining When a Liquor License Is Required

Purpose

This guide helps licensed assisted living facilities determine whether a liquor license is required to serve alcoholic beverages during resident activities, meals, or special events.

Minnesota law allows licensed assisted living facilities to serve alcoholic beverages in certain circumstances without a liquor license when operating under applicable statutory authority, including Minn. Stat. § 340A.4015.

Key Age Requirements

- Residents must be 21 years of age or older to consume alcoholic beverages
- Guests must be 21 years of age or older to be served or consume alcoholic beverages
- Staff must be of legal working age under Minnesota law and facility policy
- Minors may only perform duties permitted under Minnesota labor law and facility policy and may not serve or dispose alcoholic beverages

Disclaimer: This resource is intended for educational purposes only and does not constitute legal advice. Providers should consult their local licensing authority and legal counsel for facility-specific guidance.

Core Question: Are you providing alcohol for a fee or as a commercial service?

This determines everything.

IF YES → A liquor license is required

A liquor license is generally required if your facility:

- Charges for alcoholic beverages (per drink or bottle)
- Includes alcohol as a separately priced item
- Operates a bar, pub, or similar service model
- Receives any direct payment for alcohol service

Contact your city or county licensing authority for requirements.

IF NO → The assisted living statutory exemption may apply

Your facility may serve alcohol **without a liquor license if** ALL of the following apply:

- Facility holds a valid Minnesota Assisted Living Facility license
- Required notice has been submitted to the Minnesota Department of Public Safety
 - [Nursing homes, boarding care homes and assisted living facilities | Minnesota Department of Public Safety](#)
- Alcohol is served only on facility property
- Alcohol is served only during resident activities or events
- Alcohol is served only to residents and their accompanied guests
- Guests remain with the resident while alcohol is being served
- Alcohol is not sold or charged for in any way

If these conditions are met, the facility may operate under Minn. Stat. § 340A.4015.

Common Scenarios in Assisted Living Facilities

Scenario	License Required?	Guidance
Resident keeps alcohol in their apartment/unit	No	May be addressed in facility policy and service planning.
Resident brings alcohol to dining room	No	Facility may allow or restrict through policy.
Resident shares alcohol with guests in private space	No	Must remain resident-directed and policy compliant.
Weekly happy hour for residents	No*	If operating under statutory exemption. Residents and guests must be 21+. Staff must follow facility policy for safe service.
Complimentary wine served with meals or events	No*	If operating under statutory exemption. Applies to 21+ residents and guests.
Holiday or celebration with alcohol service	No*	If operating under statutory exemption.
Alcohol is sold or charged for cash bar or ticketed alcohol event	Yes	Requires liquor licensing.
Public event involving alcohol service	Yes	Exemption is limited to residents and accompanied guests.

*Operating under statutory exemption

Operational Expectations (Applies Even When No License Is Required)

Even when a liquor license is not required, facilities should have policies addressing:

Resident choice and rights

- Support for informed choice and autonomy
- Respect for resident preferences

Clinical considerations

- Medication interactions
- Cognitive status and risk assessment
- Service plan alignment

Safe service practices

- Staff awareness of intoxication
- Appropriate refusal of service when needed
- Emergency response procedures

Staff responsibilities

- Staff may only serve alcohol in accordance with facility policy
- Staff must verify or reasonably ensure individuals are 21 years of age or older before serving alcohol
- Staff may not serve alcohol to minors
- Staff must follow Minnesota labor laws regarding duties that may be performed by employees under 18.
- Staff must be trained in refusal of service and recognizing intoxication.

Facility operations

- Storage and access to alcohol
- Event supervision
- Staff expectations and training
- Documentation when appropriate

When a Liquor License Is Still Required

A liquor license is required when the facility:

- Sells alcohol in any form
- Operates outside the assisted living statutory exemption
- Hosts events involving alcohol sales or commercial service
- Engages in any revenue-generating alcohol activity

Licensing is handled by the city or county where the facility is located.

Common License Types (If required)

License Type	Purpose	Issued By
On-Sale Intoxicating Liquor License	Sale of spirits, wine, and beer for on-premises consumption	City/County
On-Sale Wine License	Wine (and sometimes strong beer) with food service	City/County
Sunday On-Sale License	Permits Sunday sales where authorized	City/County

Frequently Asked Questions

1. Can residents drink alcohol in their own apartment?
Yes. Facilities may address safety considerations through policy and service planning.
2. Can we host a weekly happy hour?
Yes, if operating under the statutory exemption requirements.
3. Can resident guests
Yes, if they are accompanied by the resident and alcohol service complies with facility policy and law.
4. Can we charge for alcohol as part of a meal package?
Charging specifically for alcohol generally requires a liquor license.
5. Do we need to notify the state?
Yes. Facilities operating under the exemption must submit required notice to the Minnesota Department of Public Safety.

Resources

- [Minnesota Statutes Chapter 340A](#)
- [Minnesota Statutes § 340A.4015](#)
- [Minnesota Rules Chapter 7515](#)
- [Minnesota Department of Public Safety – Alcohol and Gambling Enforcement](#)
- [League of Minnesota Cities – Liquor Licensing Guidance](#)

- [Minnesota Department of Labor and Industry – Employment of Minors](#)