

# COVID-19 Dataset Codebook

## 01/01/2020 to 12/15/2020

This Codebook describes the variables used in our Dataset to code alcohol-related policies that states have implemented in response to COVID-19. The Codebook should be used in conjunction with the statistical [Dataset](#).

### Introduction

COVID-19 has had a tremendous impact on the availability of alcohol in the United States. The Secretary of Health and Human Services (HHS) declared a public health emergency in response to COVID-19 on January 31, 2020, under section 319 of the Public Health Service Act (42 U.S.C. 247d). The President of the United States proclaimed that the COVID-19 outbreak in the United States constitutes a national emergency beginning March 1, 2020. The States then began to declare emergencies and establish various orders in response.

To mitigate the spread of COVID-19, states implemented new policies targeting restaurants, bars, liquor stores and other establishments selling alcohol for on-premises and off-premises consumption. These policies affected consumers, dictating where, when, and how they could buy alcohol. We have researched several of these policies across all 50 states and the District of Columbia, with a focus on the availability of beverage alcohol.

Specifically, for bars and restaurants, we have examined whether they are open or closed, and if open, whether they have restrictions related to limiting capacity, serving food with alcohol, reducing hours, or serving customers outdoors only. We have also examined whether restaurants and bars are allowed to sell alcohol to go or to deliver alcohol. For off-premises establishments, we have indicated whether they are open and, if so, whether they are allowed to deliver alcohol.

For closures and restrictions imposed upon restaurants and bars, we have used 0, 1 and 2 as codes in the Dataset to indicate how widespread the measures are in a state. We used 0 and 1 to code permissive policies allowing bars and restaurants to sell alcohol for off-premises consumption using Takeout/Curbside Pickup and Delivery, and allowing off-premises establishments to be open or deliver alcohol.

How we coded each of these variables is described in detail further below.

### Policy Sources

Coding relied on multiple official sources of information for the policies, including official websites and press releases for state governors, alcohol beverage control agencies, and departments of revenue, commerce, and health; state executive orders and proclamations; and state statutes and regulations. Although our review sought to capture policies specific to the COVID-19 context, these policies may expand upon or remain consistent with policies that were already in place. Where possible, preexisting law has been noted.

For additional context, please see the [Digest of State Alcohol-Related Laws During the COVID-19 Emergency for On-Premise and Off-Premise Establishments as of December 15, 2020](#). This document was developed earlier in the year and provides a narrative compilation and links to sources for a similar set of variables.

### **Explanatory Notes and Limitations**

Research into COVID-19 policies in the different states was complicated by the following factors:

- (1) There is an inconsistent use of terminology across states, and lack of precise definitions;
- (2) In certain states, source documents relating to earlier time periods have been removed and are no longer available;
- (3) Source documents in some states have been updated with no change to the filename or source URL, making retrieval of earlier versions of these documents difficult or impossible; and
- (4) Effective dates and statements of policy may differ between agencies within the same state with respect to the same subject matter.

Coding relating to bars and restaurants was based on the plain language of the relevant state COVID-related source documents – i.e. the states’ own use of the words “bar” or “restaurant” or substantially similar terms commonly understood to refer to these entities – without reference to the specific licensing structure in each particular state.

### **Disclaimer**

Our Dataset focuses on policies issued at the state level by all 50 states (and the comparable level for the District of Columbia). State policies are continually changing as the COVID-19 situation evolves, with new orders, restrictions and regulations issued almost daily from many sources including governors, state health departments, and state alcohol licensing boards. In addition, state websites sometimes remove prior documents or overwrite previous versions of documents or web pages, making it difficult to verify policy changes. States also define bars and restaurants differently, and many bars have begun operating like restaurants during the pandemic, making it challenging to apply our coding variables that distinguish between bars and restaurants. For these reasons, we cannot guarantee the accuracy, completeness or timeliness of the data presented and coded in our Dataset. Please use this document for information-purposes only, and consult with the relevant state authorities if you have specific questions about their policies.

## COVID Variable Definitions

### 1. On-Premises Establishments -- Restaurants<sup>1</sup>

#### a. *Open*

“0” indicates that state-level policies require that all restaurants throughout the state are closed to customers and can only be open for curbside pickup/takeout or delivery, if at all.

“1” indicates that state-level policies allow all restaurants to be open, with or without any of the restrictions enumerated in this dataset (i.e., Capacity, Food, Hours, and Outdoors Only).

“2” indicates that state-level policies allow restaurants in some jurisdictions of the state to be open, with or without any of the restrictions enumerated in this dataset (i.e., Capacity, Food, Hours, and Outdoors Only), while restaurants in other jurisdictions of the state remain closed per a state-level order, including a state-level order that tells local jurisdictions to decide whether to allow restaurants to be open or require them to be closed.

#### On-Premises Restrictions

- b. *Capacity*- a restriction that requires restaurants to cap the number of customers allowed in the establishment at one time, either by total percentage or total number. For example, a 50% capacity restriction would indicate that the restaurant is not permitted to exceed 50% of its maximum capacity of patrons at one time. Physical distancing requirements are not considered a Capacity restriction. Additionally, requiring restaurants to follow “best practices” or requiring them to implement their own safety guidelines without any further specificity as to the total number of patrons allowed in the establishment at one time is not considered a capacity restriction for purposes of this Codebook.

“0” indicates that restaurants throughout the state are not required to implement Capacity restrictions.

“1” indicates that there is a statewide Capacity restriction for all restaurants in jurisdictions that have opened their restaurants.

“2” indicates that a Capacity restriction applies to some, but not all, jurisdictions in the state that have opened their restaurants.

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<sup>1</sup> A restaurant, as the term is used here, is defined as an establishment with a primary function of serving food but is licensed to serve alcoholic beverages. Each state has its own licensing scheme and the coding here is based on how the Governor or State Agency has regulated restaurants generally in COVID-related executive or administrative orders.

- c. *Food*- a restriction implemented since the pandemic that ties alcohol sales in restaurants to food requirements, such as prohibiting alcohol sales unless accompanied with food service. While some states also require food with alcohol to-go and delivery orders, the restriction tracked here only addresses food requirements for alcohol served at the restaurant.

“0” indicates that restaurants throughout the state are not required to implement new Food restrictions.

“1” indicates that there is a statewide Food restriction for all restaurants in jurisdictions that have opened their restaurants.

“2” indicates that a Food restriction applies to some, but not all, jurisdictions in the state that have opened their restaurants.

- d. *Hours*- a restriction that requires restaurants to restrict alcoholic beverage sales during a particular window of time, reducing the hours that alcohol can be sold beyond what was in force prior to the pandemic. For example, a restaurant is prohibited from selling alcoholic beverages between the hours of 10:00 pm and 11:00 am when it previously could.

“0” indicates that restaurants throughout the state are not required to implement Hours restrictions.

“1” indicates that there is a statewide Hours restriction for all restaurants in jurisdictions that have opened their restaurants, including restrictions on overall restaurant operating hours (not limited to alcohol sales).

“2” indicates that an Hours restriction applies to some, but not all, jurisdictions in the state that have opened their restaurants.

- e. *Outdoors Only*- a restriction that bans indoor dining and allows restaurants to re-open or remain open for outdoor dining only.

“0” indicates that restaurants throughout the state are not required to implement Outdoors Only restrictions.

“1” indicates that there is a statewide Outdoors Only restriction for all restaurants in jurisdictions that have opened their restaurants.

“2” indicates that an Outdoors Only restriction applies to some, but not all, jurisdictions in the state that have opened their restaurants.

## Takeout and Delivery

### f. *Takeout or Curbside*

“0” indicates that restaurants throughout the state are not permitted to sell alcoholic beverages to customers for takeout or curbside pickup.

“1” indicates that restaurants are permitted to sell alcoholic beverages to customers for takeout or curbside pickup, whether this is a new policy implemented since the pandemic started, or the continuation of an existing policy. States may have different policies based on type of alcohol and other factors. Here, a "1" indicates that at least one type of alcohol, such as bottled beer, is allowed to be sold for takeout or curbside pickup.

N.B. We did not research sub-state variations for this category; therefore, the coding of a “2” was not used for this variable.

### g. *Delivery to Consumer’s Homes*

“0” indicates that restaurants throughout the state are not permitted to deliver alcoholic beverages to customers, either directly or through a third-party delivery service.

“1” indicates that restaurants are permitted to deliver alcoholic beverages to customers, either directly or through a third-party delivery service, whether this is a new policy implemented since the pandemic started, or the continuation of an existing policy. States may have different policies based on type of alcohol and other factors. Here, a "1" indicates that at least one type of alcohol, such as bottled beer, is allowed to be delivered.

N.B. We did not research sub-state variations for this category; therefore, the coding of a “2” was not used for this variable.

## **2. On-Premises Establishments -- Bars<sup>2</sup>**

### a. *Open*

“0” indicates that state-level policies require that all bars throughout the state are closed to customers and can only be open for curbside pickup/takeout or delivery, if at all.

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<sup>2</sup> A bar, as the term is used here, is defined as a licensed establishment with a primary function of serving alcoholic beverages. Each state has its own licensing scheme and the coding here is based on how the Governor or State Agency has regulated bars generally in COVID-related executive or administrative orders.

“1” indicates that state-level policies allow all bars to be open, with or without any of the restrictions enumerated in this dataset (i.e. Capacity, Food, Hours, and Outdoors Only).

“2” indicates that state-level policies allow bars in some jurisdictions of the state to be open, with or without any of the restrictions enumerated in this dataset (i.e. Capacity, Food, Hours, and Outdoors Only), while bars in other jurisdictions of the state remain closed per a state-level order, including a state-level order that tells local jurisdictions to decide whether to allow bars to be open or require them to be closed.

### On-Premises Restrictions

- b. *Capacity*- A restriction that requires bars to cap the number of customers allowed in the establishment at one time, either by total percentage or total number. For example, a 50% capacity restriction would indicate that the bar is not permitted to exceed 50% of its maximum capacity of patrons at one time. Physical distancing requirements are not considered a Capacity restriction. Additionally, requiring bars to follow “best practices” or requiring them to implement their own safety guidelines without any further specificity as to the total number of patrons allowed in the establishment at one time is not considered a capacity restriction for purposes of this Codebook.

“0” indicates that bars throughout the state are not required to implement Capacity restrictions.

“1” indicates that there is a statewide Capacity restriction for bars in jurisdictions that have opened their bars.

“2” indicates that a Capacity restriction applies to some, but not all, jurisdictions in the state that have opened their bars.

- c. *Food*- a restriction implemented since the pandemic that ties alcohol sales in bars to food requirements, such as prohibiting alcohol sales unless accompanied with food service. While some states also require food with alcohol to-go and delivery orders, the restriction tracked here only addresses food requirements for alcohol served at the bar.

“0” indicates that bars throughout the state are not required to implement Food restrictions.

“1” indicates that there is a statewide Food restriction for bars in jurisdictions that have opened their bars.

“2” indicates that a Food restriction applies to some, but not all, jurisdictions in the state that have opened their bars.

- d. *Hours*- a restriction that requires bars to restrict alcohol beverage sales during a particular window of time, reducing the hours that alcohol can be sold beyond what was in force prior to the pandemic. For example, a bar is prohibited from selling alcoholic beverages between the hours of 10:00 pm and 11:00 am when it previously could serve beyond these hours.

“0” indicates that bars throughout the state are not required to implement Hours restrictions.

“1” indicates that there is a statewide Hours restriction for bars in jurisdictions that have opened their bars, including restrictions on overall bar operating hours (not limited to alcohol sales).

“2” indicates that an Hours restriction applies to some, but not all, jurisdictions in the state that have opened their bars.

- e. *Outdoors Only*- a restriction that bans indoor bar service and allows bars to re-open or remain open for outdoor service only.

“0” indicates that bars throughout the state are not required to implement Outdoors Only restrictions.

“1” indicates that there is a statewide Outdoors Only restriction for bars in jurisdictions that have opened their bars.

“2” indicates that an Outdoors Only restriction applies to some, but not all, jurisdictions in the state that have opened their bars.

### Takeout and Delivery

- f. *Takeout or Curbside*

“0” indicates that bars throughout the state are not permitted to sell alcoholic beverages to customers for takeout or curbside pickup.

“1” indicates that bars are permitted to sell alcoholic beverages to customers for takeout or curbside pickup, whether this is a new policy implemented since the pandemic started, or the continuation of an existing policy. States may have different policies based on type of alcohol and other factors. Here, a "1" indicates that at least one type of alcohol, such as bottled beer, is allowed to be sold for takeout or curbside pickup.

N.B. We did not research sub-state variations for this category; therefore, the coding of a “2” was not used for this variable.

g. *Delivery to Consumer's Homes*

“0” indicates that bars throughout the state are not permitted to deliver alcoholic beverages to customers, either directly or through a third-party delivery service.

“1” indicates that bars are permitted to deliver alcoholic beverages to customers, either directly or through a third-party delivery service, whether this is a new policy implemented since the pandemic started, or the continuation of an existing policy. States may have different policies based on type of alcohol and other factors. Here, a "1" indicates that at least one type of alcohol, such as bottled beer, is allowed to be delivered.

N.B. We did not research sub-state variations for this category; therefore, the coding of a “2” was not used for this variable.

**3. Off-Premises Establishments - Retailers licensed to sell alcoholic beverages in the manufacturer's original container for consumption off the premises.**

a. *Open*

“0” indicates that off-premises establishments are closed for customers and can only be open for curbside pickup/takeout and delivery, if at all.

“1” indicates that some or all off-premises establishments are open for customers.

b. *Allowed to Deliver to Consumers' Homes*

“0” indicates that off-premises establishments are not permitted to deliver alcoholic beverages to consumers' homes, either directly or through a third party delivery service, whether this is a new policy implemented since the pandemic started, or the continuation of an existing policy.

“1” indicates that some or all off-premises establishments are permitted to deliver alcoholic beverages to consumers' homes, either directly or through a third party delivery service, whether this is a new policy implemented since the pandemic started, or the continuation of an existing policy.

N.B. We did not research sub-state variations for this category; therefore, the coding of a “2” was not used for this variable.