

**DEPARTMENT OF STATE  
OFFICE OF THE ALCOHOLIC BEVERAGE CONTROL COMMISSIONER  
1100 General Establishment Operations and Practices**

**Rule 1103 (Formerly Rule 61) A Rule Governing Cover Charges and Minimum Charges by  
Licensed Establishments**

**1.0 Cover Charges**

- 1.1 Any on-premises licensee licensed for the sale of alcoholic beverages shall be permitted to charge a cover charge at any time live entertainment is actually being provided by the licensee, provided that any licensee charging a cover charge shall prominently display the fact that a cover charge is being made. Payment of the cover charge shall entitle the patron to admission to the premises and observance of the entertainment being offered only.
- 1.2 Any of said licensees may also impose a minimum charge upon the following conditions:
  - 1.2.1 The charge shall be only for food or non-alcoholic beverage to be sold, and such food or non-alcoholic beverage must be provided on the patron's choice and request from the regular menu or the usual offering in the establishment.
  - 1.2.2 The amount of the minimum shall not be changed more than once daily.
  - 1.2.3 The amount of the minimum charge must be prominently displayed at the entrance to the premises and upon the menu, and the fact that such a charge is made must be part of any advertisement of the licensee.
  - 1.2.4 A minimum charge shall be distinguished from a cover charge. Upon payment of the minimum charge, the customer shall be entitled to food or non-alcoholic beverage in an amount of equal value to the charge paid.

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