



House of Representatives

General Assembly

File No. 609

February Session, 2000

Substitute House Bill No. 5851

House of Representatives, April 13, 2000

The Committee on Finance, Revenue and Bonding reported through REP. MCDONALD of the 148th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

An Act Concerning The Solicitation Of Charitable Funds Act, The State Liquor Control Act, Home Improvement Contractors, Real Estate Appraisers, And Technical Revisions To Statutes Within Titles 20, 21 And 21a Of The General Statutes.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 21a-190a of the general statutes is repealed and
2 the following is substituted in lieu thereof:

3 As used in sections 21a-190a to 21a-190l, inclusive, as amended by
4 this act:

5 (1) "Charitable organization" means any person who is or [holds
6 himself out] claims to be established for any benevolent, educational,
7 philanthropic, humane, scientific, patriotic, social welfare or advocacy,
8 public health, environmental conservation, civic or eleemosynary
9 purpose, or for the benefit of law enforcement officers, firefighters or
10 other persons who protect the public safety.

11 (2) "Person" means an individual, corporation, limited liability
12 company, association, partnership, trust, foundation or any other
13 entity however styled.

14 (3) "Solicit" and "solicitation" mean any request directly or indirectly
15 for money, credit, property, financial assistance or other thing of any
16 kind or value on the plea or representation that such money, credit,
17 property, financial assistance or other thing of any kind or value is to
18 be used for a charitable purpose or benefit a charitable organization.
19 "Solicit" and "solicitation" shall include, but shall not be limited to, the
20 following methods of requesting or securing such money, credit,
21 property, financial assistance or other thing of value: (A) Any oral or
22 written request; (B) any announcement to the press, over the radio or
23 television or by telephone or telegraph concerning an appeal or
24 campaign by or for any charitable organization or purpose; (C) the
25 distribution, circulation, posting or publishing of any handbill, written
26 advertisement or other publication; (D) the sale of, offer or attempt to
27 sell, any advertisement, advertising space, book, card, tag, coupon,
28 device, magazine, membership, merchandise, subscription, flower,
29 ticket, candy, cookies or other tangible item in connection with an
30 appeal made for any charitable organization or purpose, or where the
31 name of any charitable organization is used or referred to in any such
32 appeal as an inducement or reason for making any such sale, or when
33 or where in connection with any such sale, any statement is made that
34 the whole or any part of the proceeds from any such sale is to be used
35 for any charitable purpose or benefit any charitable organization. A
36 solicitation shall be deemed to have taken place whether or not the
37 person making the same receives any contribution.

38 (4) "Charitable purpose" means any benevolent, educational,
39 philanthropic, humane, scientific, patriotic, social welfare or advocacy,
40 public health, environmental conservation, civic or eleemosynary
41 objective.

42 (5) "Contribution" means the grant, promise or pledge of money,
43 credit, property, financial assistance or other thing of any kind or value
44 in response to a solicitation. "Contribution" shall not include bona fide
45 fees, dues or assessments paid by members, provided membership is
46 not conferred solely as consideration for making a contribution in
47 response to a solicitation.

48 (6) "Fund-raising counsel" means a person who for compensation
49 plans, manages, advises or consults with respect to the solicitation in
50 this state of contributions by a charitable organization, but who does
51 not solicit contributions and who does not directly or indirectly
52 employ, procure or engage any person compensated to solicit
53 contributions. A bona fide nontemporary salaried officer or employee
54 of a charitable organization shall not be deemed to be a fund-raising
55 counsel.

56 (7) "Paid solicitor" means a person who for compensation, other
57 than any nonmonetary gift of nominal value awarded to a volunteer
58 solicitor as an incentive or token of appreciation, performs for a
59 charitable organization any service in connection with which
60 contributions are solicited by such person or by any person [he]
61 directly or indirectly [employs] employed by such person, procures or
62 engages to solicit for such compensation. A bona fide nontemporary
63 salaried officer or employee of a charitable organization shall not be
64 deemed to be a paid solicitor.

65 (8) "Commercial coventurer" means a person who for profit is
66 regularly and primarily engaged in trade or commerce in this state
67 other than in connection with the raising of funds for charitable
68 organizations or purposes and who conducts a charitable sales
69 promotion.

70 (9) "Charitable sales promotion" means an advertising or sales
71 campaign, conducted by a commercial coventurer, which represents
72 that the purchase or use of goods or services offered by the commercial

73 coventurer are to benefit a charitable organization or purpose.

74 [(10) "Department" means the Department of Consumer Protection.

75 (11) "Commissioner" means the Commissioner of Consumer
76 Protection.]

77 [(12)] (10) "Membership" means that which entitles a person to the
78 privileges, professional standing, honors or other direct benefit of the
79 organization and the rights to vote, elect officers and hold office in the
80 organization.

81 [(13)] (11) "Parent organization" means that part of a charitable
82 organization which supervises and exercises control over the
83 solicitation and expenditure activities of one or more chapters,
84 branches or affiliates.

85 [(14)] (12) "Gross revenue" means income of any kind from all
86 sources, including all amounts received as the result of any solicitation
87 by a paid solicitor.

88 Sec. 2. Section 21a-190b of the general statutes is repealed and the
89 following is substituted in lieu thereof:

90 Every charitable organization not exempted by section 21a-190d, as
91 amended by this act, shall register with the [department] Attorney
92 General prior to conducting any solicitation or prior to having any
93 solicitation conducted on its behalf by others. Application for
94 registration shall be made on forms prescribed by the [department]
95 Attorney General and shall include payment of a fee of twenty dollars.
96 Two authorized officers of the organization shall sign the registration
97 form and shall certify that the statements therein are true and correct
98 to the best of their knowledge. A chapter, branch or affiliate in this
99 state of a registered parent organization shall not be required to
100 register provided the principal office of the parent organization is
101 located in this state and provided the parent organization files a

102 consolidated annual report for itself and its chapter, branch or affiliate.

103 Sec. 3. Section 21a-190c of the general statutes is repealed and the
104 following is substituted in lieu thereof:

105 (a) Every charitable organization required to register pursuant to
106 section 21a-190b, as amended by this act, shall annually file with the
107 [department] Attorney General a report for its most recently
108 completed fiscal year, which report shall include a financial statement
109 and such other information as the [commissioner] Attorney General
110 may require. Such charitable organization shall file such report not
111 more than five months following the close of its fiscal year, which
112 report shall be accompanied by a fee of twenty-five dollars and shall be
113 signed by two authorized officers of the organization, one of whom
114 shall be the chief fiscal officer of the organization. Such officers shall
115 certify that such report is true and correct to the best of their
116 knowledge. The [commissioner] Attorney General shall prescribe the
117 form of the report and may prescribe standards for its completion. The
118 [commissioner] Attorney General may accept, under such conditions
119 as [he] the Attorney General may prescribe, a copy or duplicate
120 original of financial statements, reports or returns filed by the
121 charitable organization with the Internal Revenue Service or another
122 state having requirements similar to the provisions of sections 21a-
123 190a to 21a-190l, inclusive, as amended by this act.

124 (b) A charitable organization with gross revenue in excess of one
125 hundred thousand dollars in the year covered by the report shall
126 include with its financial statement an audit report of a certified public
127 accountant. For purposes of this section, gross revenue shall not
128 include grants or fees from government agencies.

129 (c) The [commissioner] Attorney General may, upon written request
130 and for good cause shown, grant an extension of time, not to exceed
131 three months, for the filing of such report.

132 (d) An additional late filing fee of twenty-five dollars shall
133 accompany any report which is not filed in a timely manner.

134 (e) Every charitable organization required to file an annual report
135 and every charitable organization subject to the provisions of
136 subdivision (6) of section 21a-190d, as amended by this act, shall keep
137 true fiscal records which shall be available to the [department]
138 Attorney General for inspection upon request. Such organization shall
139 retain such records for no less than three years after the end of the
140 fiscal year to which they relate.

141 Sec. 4. Section 21a-190d of the general statutes is repealed and the
142 following is substituted in lieu thereof:

143 The following charitable organizations shall not be subject to the
144 provisions of sections 21a-190b, as amended by this act, and 21a-190c,
145 as amended by this act, provided each such organization shall submit
146 such information as the [department] Attorney General may require to
147 substantiate an exemption under this section:

148 (1) Any duly organized religious corporation, institution or society;

149 (2) Any parent-teacher association or educational institution, the
150 curricula of which in whole or in part are registered or approved by
151 any state or the United States either directly or by acceptance of
152 accreditation by an accrediting body;

153 (3) Any nonprofit hospital licensed in accordance with the
154 provisions of section 19a-630, as amended, or any similar provision of
155 the laws of any other state;

156 (4) Any governmental unit or instrumentality of any state or the
157 United States;

158 (5) Any person who solicits solely for the benefit of organizations
159 described in subdivisions (1) to (4), inclusive, of this section; and

160 (6) Any charitable organization which normally receives less than
161 twenty-five thousand dollars in contributions annually, provided such
162 organization does not compensate any person primarily to conduct
163 solicitations.

164 Sec. 5. Section 21a-190e of the general statutes is repealed and the
165 following is substituted in lieu thereof:

166 (a) Each contract between a charitable organization and a fund-
167 raising counsel shall be in writing and shall be filed by the fund-raising
168 counsel with the [department] Attorney General at least fifteen days
169 prior to the performance by the fund-raising counsel of any material
170 services pursuant to such contract. The contract shall contain such
171 information as will enable the [department] Attorney General to
172 identify the services the fund-raising counsel is to provide and the
173 manner of [his] the fund-raising counsel's compensation.

174 (b) A fund-raising counsel who at any time has custody or control of
175 contributions from a solicitation shall register with the [department]
176 Attorney General. Applications for registration or renewal of a
177 registration as a fund-raising counsel shall be in writing, under oath, in
178 the form prescribed by the [department] Attorney General and shall be
179 accompanied by a fee in the amount of one hundred twenty dollars.
180 Each application shall contain such information as the [department]
181 Attorney General shall require. Each registration shall be valid for one
182 year and may be renewed for additional one-year periods. An
183 applicant for registration or for a renewal of registration as a fund-
184 raising counsel shall, at the time of making such application, file with
185 and have approved by the [department] Attorney General a bond, in
186 which the applicant shall be the principal obligor in the sum of twenty
187 thousand dollars, with one or more responsible sureties whose liability
188 in the aggregate as such sureties shall be no less than such sum. The
189 fund-raising counsel shall maintain the bond in effect as long as the
190 registration is in effect. The bond shall run to the state and to any

191 person who may have a cause of action against the principal obligor of
192 the bond for any liabilities resulting from the obligor's conduct of any
193 activities subject to sections 21a-190a to 21a-190l, inclusive, as
194 amended by this act, or arising out of a violation of said sections or any
195 regulation adopted pursuant to said sections. Any such fund-raising
196 counsel shall account to the charitable organization with which [he]
197 such counsel has contracted for all income received and expenses paid
198 no later than ninety days after a solicitation campaign has been
199 completed, and in the case of a solicitation campaign lasting more than
200 one year, on the anniversary of the commencement of such campaign.
201 Such accounting shall be in writing, shall be retained by the charitable
202 organization for three years and shall be available to the [department]
203 Attorney General upon request.

204 Sec. 6. Section 21a-190f of the general statutes is repealed and the
205 following is substituted in lieu thereof:

206 (a) No person shall act as a paid solicitor unless [he] such paid
207 solicitor has first registered with the [department] Attorney General.
208 Applications for registration and for the renewal of a registration shall
209 be in writing, under oath, in the form prescribed by the [department]
210 Attorney General and shall be accompanied by a fee in the amount of
211 one hundred twenty dollars. The application shall contain such
212 information as the [department] Attorney General shall require. Each
213 registration shall be valid for one year and may be renewed for
214 additional one-year periods.

215 (b) An applicant for registration or for a renewal of registration as a
216 paid solicitor shall, at the time of making such application, file with
217 and have approved by the [department] Attorney General a bond, in
218 which the applicant shall be the principal obligor in the sum of twenty
219 thousand dollars, with one or more responsible sureties whose liability
220 in the aggregate as such sureties shall be no less than such sum. The
221 paid solicitor shall maintain the bond in effect as long as the

222 registration is in effect. The bond shall run to the state and to any
223 person who may have a cause of action against the principal obligor of
224 the bond for any liabilities resulting from the obligor's conduct of any
225 activities subject to sections 21a-190a to 21a-190l, inclusive, as
226 amended by this act, or arising out of a violation of said sections or any
227 regulation adopted pursuant to said sections.

228 (c) No less than twenty days prior to the commencement of each
229 solicitation campaign, a paid solicitor shall file with the [department]
230 Attorney General a copy of the contract described in subsection (d) of
231 this section and shall file a completed solicitation notice on forms
232 prescribed by the [department] Attorney General. A solicitation notice
233 shall be in writing and under oath, and shall include a description of
234 the solicitation event or campaign, the location and telephone number
235 from which the solicitation is to be conducted, the names and
236 residence addresses of all employees, agents or other persons however
237 styled who are to solicit during such campaign and the account
238 number and location of all bank accounts where receipts from such
239 campaign are to be deposited. Copies of campaign solicitation
240 literature, including the text of any solicitation to be made orally, shall
241 be attached to the solicitation notice. The charitable organization on
242 whose behalf the paid solicitor is acting shall certify that the
243 solicitation notice and accompanying material are true and complete.

244 (d) A contract between a paid solicitor and a charitable organization
245 shall be in writing, shall clearly state the respective obligations of the
246 paid solicitor and the charitable organization and shall state the
247 minimum amount which the charitable organization shall receive as a
248 result of the solicitation campaign, which minimum amount shall be
249 stated as a percentage of the gross revenue. Such minimum amount
250 shall not include any amount which the charitable organization is to
251 pay as expenses of the solicitation campaign.

252 (e) A paid solicitor shall, prior to orally requesting a contribution,

253 and at the same time at which a written request for a contribution is
254 made, clearly and conspicuously disclose at the point of solicitation
255 [his] the paid solicitor's name as on file with the [department] Attorney
256 General, the fact that [he] the paid solicitor is a paid solicitor and the
257 percentage of the gross revenue which the charitable organization shall
258 receive as identified in subsection (d) of this section.

259 (f) A paid solicitor shall, in the case of a solicitation campaign
260 conducted orally, whether by telephone or otherwise, send a written
261 confirmation to each person who has pledged to contribute, no more
262 than five days after such person has been solicited, which confirmation
263 shall include a clear and conspicuous disclosure of the information
264 required by subsection (e) of this section.

265 (g) A paid solicitor shall not represent that any part of the
266 contributions received will be given or donated to any charitable
267 organization unless such organization has consented in writing to the
268 use of its name, prior to the solicitation. Such written consent shall be
269 signed by two authorized officers, directors or trustees of the
270 charitable organization.

271 (h) No paid solicitor shall represent that tickets to an event are to be
272 donated for use by another, unless the paid solicitor has first obtained
273 a commitment, in writing, from a charitable organization stating that it
274 will accept donated tickets and specifying the number of tickets which
275 it is willing to accept and provided no more contributions for donated
276 tickets shall be solicited than the number of ticket commitments
277 received from the charitable organization.

278 (i) A paid solicitor shall require any person [he] the paid solicitor
279 directly or indirectly employs, procures or engages to solicit to comply
280 with the provisions of subsections (e) to (h), inclusive, of this section.

281 (j) A paid solicitor shall file a financial report for the campaign with
282 the [department] Attorney General no more than ninety days after a

283 solicitation campaign has been completed, and on the anniversary of
284 the commencement of any solicitation campaign which lasts more than
285 one year. The financial report shall include gross revenue and an
286 itemization of all expenditures incurred. The report shall be completed
287 on a form prescribed by the [department] Attorney General. An
288 authorized official of the paid solicitor and two authorized officials of
289 the charitable organization shall sign such report and they shall certify,
290 under oath, that such report is true and complete to the best of their
291 knowledge.

292 (k) A paid solicitor shall maintain during each solicitation campaign
293 and for not less than three years after the completion of each such
294 campaign the following records, which shall be available to the
295 [department] Attorney General for inspection upon request: (1) The
296 name and address of each contributor and the date and amount of the
297 contribution, provided the [department] Attorney General shall not
298 disclose this information except to the extent necessary for
299 investigative or law enforcement purposes; (2) the name and residence
300 of each employee, agent or other person involved in the solicitation;
301 and (3) records of all income received and expenses incurred in the
302 course of the solicitation campaign.

303 (l) If a paid solicitor sells tickets to an event and represents that
304 tickets will be donated for use by another, the paid solicitor shall
305 maintain, for not less than three years after the completion of such
306 event, the following records, which shall be available to the
307 [department] Attorney General for inspection upon request: (1) The
308 name and address of contributors donating tickets and the number of
309 tickets donated by each contributor; and (2) the name and address of
310 all organizations receiving donated tickets for use by others, including
311 the number of tickets received by each organization.

312 (m) All funds collected by the paid solicitor shall be deposited in a
313 bank account. The bank account shall be in the name of the charitable

314 organization with whom the paid solicitor has contracted and the
315 charitable organization shall have sole or joint control of the account.

316 (n) Any material change in any information filed with the
317 [department] Attorney General pursuant to this section shall be
318 reported in writing by the paid solicitor to the [department] Attorney
319 General not more than seven days after such change occurs.

320 (o) No person may act as a paid solicitor if such person, any officer
321 or director thereof, any person with a controlling interest therein, or
322 any person the paid solicitor employs, engages or procures to solicit
323 for compensation, has been convicted by a court of any state or the
324 United States of any felony, or of any misdemeanor involving
325 dishonesty or arising from the conduct of a solicitation for a charitable
326 organization or purpose. Any denial, suspension or revocation of the
327 registration of a paid solicitor based on a violation of this subsection
328 shall be made in accordance with the provisions of section 46a-80, as
329 amended.

330 Sec. 7. Section 21a-190g of the general statutes is repealed and the
331 following is substituted in lieu thereof:

332 (a) Every charitable organization which agrees to permit a charitable
333 sales promotion to be conducted in its behalf, shall obtain a written
334 agreement from the commercial coventurer and file a copy of such
335 agreement with the [department] Attorney General not less than ten
336 days prior to the commencement of the charitable sales promotion
337 within this state. An authorized representative of the charitable
338 organization and the commercial coventurer shall sign such agreement
339 and the terms of such agreement shall include the following: (1) The
340 goods or services to be offered to the public; (2) the geographic area
341 where, and the starting and final date when, such offering is to be
342 made; (3) the manner in which the name of the charitable organization
343 is to be used, including any representation to be made to the public as
344 to the amount or per cent per unit of goods or services purchased or

345 used that is to benefit the charitable organization; (4) a provision for a
346 final accounting on a per unit basis to be given by the commercial
347 coventurer to the charitable organization and the date when it is to be
348 made; and (5) the date when and the manner in which the benefit is to
349 be conferred on the charitable organization.

350 (b) A commercial coventurer shall keep the final accounting for each
351 charitable sales promotion for three years after the final accounting
352 date and such accounting shall be available to the [department]
353 Attorney General upon request.

354 (c) A commercial coventurer shall disclose in each advertisement for
355 a charitable sales promotion the amount per unit of goods or services
356 purchased or used that is to benefit the charitable organization or
357 purpose. Such amount may be expressed as a dollar amount or as a
358 percentage of the value of the goods or services purchased or used.

359 Sec. 8. Section 21a-190i of the general statutes is repealed and the
360 following is substituted in lieu thereof:

361 (a) The [department] Attorney General, on its own motion or on
362 complaint of any person, may conduct an investigation to determine
363 whether any person has violated or is about to violate any provision of
364 sections 21a-190a to 21a-190l, inclusive, as amended by this act.

365 (b) The [commissioner] Attorney General or [his] the Attorney
366 General's authorized representative may subpoena documentary
367 material relating to any matter under investigation, issue subpoenas to
368 any person involved in or who may have knowledge of any matter
369 under investigation, administer an oath or affirmation to any person
370 and conduct hearings on any matter under investigation.

371 (c) If any person fails to obey any subpoena issued by the
372 [commissioner] Attorney General or [his] the Attorney General's
373 authorized representative pursuant to this section, the [commissioner]

374 Attorney General may, after notice, apply to the superior court for the
375 judicial district of Hartford, which court, after a hearing thereon, may
376 issue an order requiring such person to obey such subpoena or any
377 part thereof, together with such other relief as may be appropriate.
378 Any disobedience of any order entered under this section by any court
379 shall be punished as a contempt thereof.

380 Sec. 9. Section 21a-190l of the general statutes is repealed and the
381 following is substituted in lieu thereof:

382 (a) The [commissioner] Attorney General may deny, suspend or
383 revoke the registration of any charitable organization, fund-raising
384 counsel or paid solicitor which has violated any provision of sections
385 21a-190a to 21a-190l, inclusive, as amended by this act. The
386 [commissioner] Attorney General may accept a written assurance of
387 compliance when [he] the Attorney General determines that a
388 violation of said sections is not material and that the public interest
389 would not be served by a denial, suspension or revocation of such
390 registration.

391 (b) The Attorney General [, at the request of the commissioner,] may
392 apply to the Superior Court for, and the court may grant, a temporary
393 injunction or a permanent injunction to restrain violations of sections
394 21a-190a to 21a-190l, inclusive, as amended by this act, the
395 appointment of a receiver, an order of restitution, an accounting and
396 such other relief as may be appropriate to ensure the due application
397 of charitable funds. Proceedings thereon shall be brought in the name
398 of the state.

399 (c) Any person who violates any provision of sections 21a-190a to
400 21a-190l, inclusive, as amended by this act, shall be fined not more
401 than one thousand dollars or imprisoned not more than one year, or
402 both.

403 Sec. 10. Subsection (b) of section 7-186a of the general statutes is

404 repealed and the following is substituted in lieu thereof:

405 (b) Any charitable, civic, educational, fraternal, veterans' or religious
406 organization, volunteer fire department, grange or political party or
407 town committee thereof may promote and operate games of chance to
408 raise funds for the purposes of such organization, provided the
409 sponsoring organization shall have been organized in good faith and
410 actively functioning as a nonprofit organization in this state for a
411 period of not less than two years prior to its application for a permit
412 under the provisions of sections 7-186a to 7-186l, inclusive. If such
413 organization is a charitable organization as defined in section 21a-190a,
414 as amended by this act, other than a church or religious organization, it
415 shall be registered with the [Department of Consumer Protection]
416 Attorney General under the provisions of chapter 419d. The promotion
417 and operation of games of chance shall be confined solely to the
418 qualified members of the sponsoring organization, except as provided
419 in section 7-186c and excluding any such qualified member who is a
420 dealer in gambling devices or equipment or an agent or employee of
421 any dealer in such devices or equipment, and no qualified member
422 shall receive remuneration in any form for time or effort devoted to the
423 promotion or operation of such games of chance. No person under the
424 age of eighteen years shall promote, conduct, operate or work at events
425 featuring, or play, such games of chance nor shall any sponsoring
426 organization permit any person under the age of eighteen to so
427 promote, conduct, operate or play such games of chance. All funds
428 derived from any such games of chance shall be used exclusively for
429 the purpose stated in the application of the sponsoring organization as
430 provided in section 7-186b.

431 Sec. 11. Subsection (c) of section 21a-36 of the general statutes is
432 repealed and the following is substituted in lieu thereof:

433 (c) The provisions of this section shall not apply to any religious
434 association or society, any department or agency of the United States,

435 the state or any political subdivision of this state, or to any person
436 exempted under the provisions of section 10-303. The commissioner
437 may exempt from the provisions of this section any amateur athletic
438 group composed principally of minors, any association of youths
439 sponsored by the Division of State Police within the Department of
440 Public Safety or a municipal police department or the members
441 thereof, and any charitable or philanthropic organization registered
442 with the [Commissioner of Consumer Protection] Attorney General
443 under the provisions of section 21a-190b, as amended by this act, or
444 exempted from such registration under the provisions of section 21a-
445 190d, as amended by this act, upon finding that the application of this
446 section to any such group, association or organization would not
447 materially aid in its administration and that such exception would not
448 be inimical to public health and safety.

449 Sec. 12. Subdivision (15) of section 30-1 of the general statutes is
450 repealed and the following is substituted in lieu thereof:

451 (15) "Dining room" means a room or rooms in premises operating
452 under a hotel permit, [hotel beer permit,] restaurant permit,
453 [restaurant permit for beer,] restaurant permit for wine and beer,
454 [railroad permit, or boat permit,] where meals are customarily served,
455 within the room or rooms, to any member of the public who has means
456 of payment and proper demeanor.

457 Sec. 13. Section 30-1 of the general statutes is amended by adding
458 subdivision (21) as follows:

459 (NEW) (21) "Permitted use" means the designated business use for
460 which the permit is specified and granted by the department.
461 Permitted uses exist for each type of liquor permit within each group.
462 When provisions of this act refer to an individual permit, it means the
463 permitted use of such a permit.

464 Sec. 14. Section 30-12 of the general statutes is repealed and the

465 following is substituted in lieu thereof:

466 When any town has so voted upon the question of liquor permits,
467 any liquor permit granted in such town which is not in accordance
468 with such vote shall be void except manufacturer permits, [railroad]
469 transit permits and golf country club permits.

470 Sec. 15. Subsection (a) of section 30-14 of the general statutes, as
471 amended by section 23 of public act 99-194, is repealed and the
472 following is substituted in lieu thereof:

473 (a) A permit shall be a purely personal privilege, that expires
474 annually, except a permit issued under sections 30-25, 30-35, 30-37b,
475 30-37d, 30-37g and 30-37h, and revocable in the discretion of the
476 [Department of Consumer Protection] department subject to appeal as
477 provided in section 30-55. A permit shall not constitute property, nor
478 shall it be subject to attachment and execution, nor shall it be alienable,
479 except that it shall descend to the estate of a deceased permittee by the
480 laws of testate or intestate succession. A [railroad] transit permit [or an
481 airline permit shall] may be granted to [the railroad corporation or
482 airline] a transit corporation [and not to any person,] and the
483 corporation [shall] may be the permittee.

484 Sec. 16. Section 30-15 of the general statutes is repealed and the
485 following is substituted in lieu thereof:

486 (a) The [Department of Consumer Protection] department may issue
487 permits [in the classes] for the permitted uses described in this chapter.
488 Permits shall be subject to the regulations of the [Department of
489 Consumer Protection] department and the provisions of this chapter.
490 On each application, the applicant shall indicate the permitted use of
491 the permit which is applied for within the group and type of permit.
492 Subject to the provisions of section 30-48, as amended by this act, an
493 applicant may request to change the permitted use of an existing
494 permit within Group 3 by filing an amended application with the

495 department. If the department approves such amended application,
496 the amended permit shall continue in effect until the original
497 expiration date with no additional fee.

498 (b) Each permit issued under the provisions of this chapter shall
499 remain in full force and effect until the next succeeding renewal on or
500 after the effective date of this act. The commissioner shall provide
501 permit holders with sufficient notice of changes under this act for
502 permits issued prior to the effective date of this act. Such notification
503 shall be in the form and manner prescribed by the commissioner and
504 shall include, but is not limited to, the group and type for each permit
505 category and the related fee.

506 Sec. 17. (NEW) (a) Group 1, Type A permits consist of permitted
507 uses related to the manufacturing, wholesaling, or transporting of beer
508 or alcoholic liquor, and out-of-state shipping by non-Connecticut
509 entities. The annual fee for a Group 1, Type A permit is eight hundred
510 dollars.

511 (b) Group 1, Type B permits consist of permitted uses related to the
512 manufacturing, shipping, distribution, storing or bottling of wine,
513 apple brandy or cider, and out-of-state shipping by Connecticut-based
514 entities. The annual fee for a Group 1, Type B permit is one hundred
515 fifty dollars.

516 (c) Group 2, Type A permits consist of permitted uses related to
517 retailers which sell alcoholic liquor in closed containers for off-
518 premises consumption. The annual fee for a Group 2, Type A permit is
519 three hundred dollars.

520 (d) Group 2, Type B permits consist of permitted uses related to
521 retailers which sell beer in closed containers for off-premises
522 consumption. The annual fee for a Group 2, Type B permit is eighty-
523 five dollars.

524 (e) Group 3, Type A permits consist of permitted uses related to
525 facilities which sell alcoholic liquor to be consumed on the premises,
526 with or without food. The annual fee for a Group 3, Type A permit is
527 nine hundred dollars.

528 (f) Group 3, Type B permits consist of permitted uses related to
529 facilities which sell beer or wine to be consumed on the premises, with
530 or without food. The annual fee for a Group 3, Type B permit is two
531 hundred forty dollars.

532 (g) Group 3, Type C permits consist of permitted uses related to
533 facilities operated by a nonprofit organization which sell alcoholic
534 liquor to be consumed on the premises, with or without food. The
535 annual fee for a Group 3, Type C permit is two hundred forty dollars.

536 Sec. 18. Section 30-16 of the general statutes is repealed and the
537 following is substituted in lieu thereof:

538 (a) A manufacturer permit shall allow the manufacture of alcoholic
539 liquor and the storage, bottling and wholesale distribution and sale of
540 alcoholic liquor manufactured or bottled to permittees in this state and
541 without the state as may be permitted by law; but no such permit shall
542 be granted unless the place or the plan of the place of manufacture has
543 received the approval of the [Department of Consumer Protection]
544 department. A holder of a manufacturer permit may apply for and
545 shall receive an out-of-state shipper's permit for manufacturing plants
546 and warehouse locations outside the state owned by such
547 manufacturer or a subsidiary corporation thereof, at least eighty-five
548 per cent of the voting stock of which is owned by such manufacturer,
549 to bring into any of its plants or warehouses in the state alcoholic
550 liquors for reprocessing, repackaging, reshipment or sale either (1)
551 within the state to wholesaler permittees not owned or controlled by
552 such manufacturer or (2) outside the state. A holder of a manufacturer
553 permit, except a manufacturer permit for apple brandy, eau-de-vie or
554 cider, may apply for and shall receive a wholesaler permit. The annual

555 fee for a manufacturer permit [shall be one thousand six hundred
556 dollars] for alcoholic liquor is the permitted use fee for Group 1, Type
557 A.

558 (b) A manufacturer permit for beer shall be in all respects the same
559 as a manufacturer permit, except that the scope of operations of the
560 holder shall be limited to beer, but shall permit the storage of beer in
561 any part of the state. Such permit shall also authorize the offering and
562 tasting, on the premises of the permittee, of free samples of beer
563 brewed on such premises. The offering and tasting shall be limited to
564 visitors who have attended a tour of the premises of the permittee. The
565 annual fee for a manufacturer permit for beer [shall be eight hundred
566 dollars] is the permitted use fee for Group 1, Type A.

567 (c) A manufacturer permit for apple brandy, eau-de vie or cider not
568 exceeding six per cent alcohol by volume and for apple wine not
569 exceeding fifteen per cent alcohol by volume shall allow the
570 manufacture, storage, bottling and wholesale distribution and sale at
571 retail of such cider, [and] apple brandy, eau-de-vie or apple wine to
572 permittees and nonpermittees in this state as may be permitted by law;
573 but no such permit shall be issued unless the place or the plan of the
574 place of manufacture has received the approval of the department. The
575 annual fee for a manufacturer permit for apple brandy, eau-de-vie,
576 apple wine or cider [shall be one hundred sixty dollars] is the
577 permitted use fee for Group 1, Type B.

578 [(d) A manufacturer permit for apple brandy and eau-de-vie shall
579 be in all respects the same as a manufacturer permit, except that the
580 scope of operations of the holder shall be limited to apple brandy or
581 eau-de-vie, or both. The annual fee for a manufacturer permit for apple
582 brandy and eau-de-vie shall be three hundred twenty dollars.]

583 [(e)] (d) A manufacturer permit for a farm winery shall be in all
584 respects the same as a manufacturer permit, except that the scope of
585 operations of the holder shall be limited to wine and brandies distilled

586 from grape products or other fruit products, including grappa and
587 eau-de-vie. As used in this section, "farm winery" means any place or
588 premises, located on a farm in the state in which wine is manufactured
589 and sold. Such permit shall authorize the sale in bulk by the holder
590 thereof from the premises where the products are manufactured
591 pursuant to such permit and shall authorize the holder thereof to sell
592 from such farm winery premises to a retailer wine manufactured by
593 the farm winery permittee in the original sealed containers of not more
594 than fifteen gallons per container and to sell or deliver such wine or
595 brandy to persons outside the state. Such permit shall also authorize:
596 (1) The offering and tasting of free samples of such wine or brandy to
597 visitors and prospective retail customers for consumption on the
598 premises of the farm winery permittee; (2) the selling at retail from the
599 premises sealed bottles or other sealed containers of such wine or
600 brandy for consumption off the premises; and (3) the selling at retail
601 from the premises wine by the glass and bottle to visitors on the
602 premises of the farm winery permittee for consumption on the
603 premises, provided a town may, by ordinance or zoning regulation,
604 prohibit any such offering, tasting or selling at retail at premises within
605 such town for which a manufacturer permit for farm winery has been
606 issued. No licensed farm winery may sell any such wine or brandy not
607 manufactured in such winery. The farm winery permittee shall
608 produce within the state an average crop of fruit equal to not less than
609 fifty-one per cent of the fruit used in the manufacture of the farm
610 winery permittee's wine. An average crop shall be defined each year as
611 the average yield of the farm winery permittee's two largest annual
612 crops out of the preceding five years, except that during the first seven
613 years from the date of issuance of a farm winery permit, an average
614 crop shall be defined as three tons of grapes for each acre of vineyard
615 farmed by the farm winery permittee. The annual fee for a
616 manufacturer permit for a farm winery [shall be two hundred forty
617 dollars] is the permitted use fee for Group 1, Type B.

618 [(f)] (e) A manufacturer permit for a brew pub shall allow the

619 manufacture, storage and bottling of beer, and the retail sale of
620 alcoholic liquor to be consumed on the premises with or without the
621 sale of food, provided that the holder of a manufacturer permit for a
622 brew pub produces at least five thousand gallons of beer on the
623 premises annually. On and after July 1, 1995, such permit shall also
624 authorize any person holding such permit on January 1, 1994, to
625 engage in the retail sale of beer produced on the premises for personal
626 consumption off the premises provided (1) such beer shall be
627 dispensed into sealed containers not larger than two liters and (2) no
628 permittee shall allow a person to purchase more than one container of
629 such beer per day. The annual fee for a manufacturer permit for a brew
630 pub [shall be two hundred forty dollars] is the permitted use fee for
631 Group 3, Type A.

632 Sec. 19. Section 30-17 of the general statutes is repealed and the
633 following is substituted in lieu thereof:

634 (a) [(1)] A wholesaler permit shall allow the bottling of alcoholic
635 liquor and the wholesale sale of alcoholic liquor to permittees in this
636 state and without the state, as may be permitted by law, and the sale of
637 alcoholic liquors to vessels engaged in coastwise or foreign commerce,
638 and the sale of alcohol and alcoholic liquor for industrial purposes to
639 nonpermittees, such sales to be made in accordance with the
640 regulations adopted by the [Department of Consumer Protection]
641 department, and the sale of alcohol and alcoholic liquor for medicinal
642 purposes to hospitals and charitable institutions and to religious
643 organizations for sacramental purposes and the receipt from out-of-
644 state shippers of multiple packages of alcoholic liquor. The holder of a
645 wholesaler permit may apply for and shall thereupon receive an out-
646 of-state shipper's permit for direct importation from abroad of
647 alcoholic liquors manufactured outside the United States and an out-
648 of-state shipper's permit for direct importation from abroad of beer
649 manufactured outside the United States. The annual fee for a
650 wholesaler permit [shall be two thousand four hundred dollars] is the

651 permitted use fee for Group 1, Type A.

652 [(2)] (b) When a holder of a wholesaler permit has had the
653 distributorship of any alcohol, beer, spirits or wine product of a
654 manufacturer or out-of-state shipper for six months or more, such
655 distributorship may be terminated or its geographic territory
656 diminished upon (A) the execution of a written stipulation by the
657 wholesaler and manufacturer or out-of-state shipper agreeing to the
658 change and the approval of such change by the [Department of
659 Consumer Protection] department; or (B) the sending of a written
660 notice by registered mail, return receipt requested, by the
661 manufacturer or out-of-state shipper to the wholesaler, a copy of
662 which notice has been sent simultaneously by registered mail, return
663 receipt requested, to the [Department of Consumer Protection]
664 department. No such termination or diminishment shall become
665 effective except for just and sufficient cause, provided such cause shall
666 be set forth in such notice and the [Department of Consumer
667 Protection] department shall determine, after hearing, that just and
668 sufficient cause exists. If an emergency occurs, caused by the
669 wholesaler, prior to such hearing, which threatens the manufacturers'
670 or out-of-state shippers' products or otherwise endangers the business
671 of the manufacturer or out-of-state shipper and said emergency is
672 established to the satisfaction of the [Department of Consumer
673 Protection] department, the department may temporarily suspend
674 such wholesaler permit or take whatever reasonable action the
675 department deems advisable to provide for such emergency and the
676 department may continue such temporary action until its decision after
677 a full hearing. The [Department of Consumer Protection] department
678 shall render its decision with reasonable promptness following such
679 hearing. Notwithstanding the aforesaid, a manufacturer or out-of-state
680 shipper may appoint one or more additional wholesalers as the
681 distributor for an alcohol, spirits or wine product within such territory,
682 provided such appointment shall not be effective until six months from
683 the date such manufacturer or out-of-state shipper sets forth such

684 intention in written notice to the existing wholesaler by registered
685 mail, return receipt requested, with a copy of such notice
686 simultaneously sent by registered mail, return receipt requested, to the
687 [Department of Consumer Protection] department. For just and
688 sufficient cause, a manufacturer or out-of-state shipper may appoint
689 one or more additional wholesalers as the distributor for a beer
690 product within such territory provided such manufacturer or out-of-
691 state shipper sets forth such intention and cause in written notice to the
692 existing wholesaler by registered mail, return receipt requested, with a
693 copy of such notice simultaneously sent by registered mail, return
694 receipt requested, to the [Department of Consumer Protection]
695 department. For the purposes of this section, "just and sufficient cause"
696 means the existence of circumstances which, in the opinion of a
697 reasonable person considering all of the equities of both the wholesaler
698 and the manufacturer or out-of-state shipper warrants a termination or
699 a diminishment of a distributorship as the case may be. For the
700 purposes of this section, "manufacturer or out-of-state shipper" means
701 the manufacturer or out-of-state shipper who originally granted a
702 distributorship of any alcohol, beer, spirits or wine product to a
703 wholesaler, any successor to such manufacturer or out-of-state shipper,
704 which successor has assumed the contractual relationship with such
705 wholesaler by assignment or otherwise, or any other manufacturer or
706 out-of-state shipper who acquires the right to ship such alcohol, beer,
707 spirits or wine into the state.

708 [(3)] (c) Nothing contained [herein] in this section shall be construed
709 to interfere with the authority of the [Department of Consumer
710 Protection] department to retain or adopt reasonable regulations
711 concerning the termination or diminishment of a distributorship held
712 by a wholesaler for less than six months.

713 [(4)] (d) All hearings [held hereunder] shall be held in accordance
714 with the provisions of chapter 54.

715 [(b)] (e) A wholesaler permit for beer shall be in all respects the
716 same as a wholesaler permit, except that the scope of operations of the
717 holder shall be limited to beer; but shall not prohibit the handling of
718 nonalcoholic merchandise. The holder of a wholesaler permit for beer
719 may apply for and shall thereupon receive an out-of-state shipper's
720 permit for direct importation from abroad of beer manufactured
721 outside the United States. The annual fee for a wholesaler permit for
722 beer [shall be eight hundred dollars] is the permitted use fee for Group
723 1, Type A.

724 Sec. 20. Section 30-18 of the general statutes is repealed and the
725 following is substituted in lieu thereof:

726 An out-of-state shipper's permit for alcoholic liquor other than beer
727 shall allow the sale of such alcoholic liquor to manufacturer and
728 wholesaler permittees in this state as permitted by law. The annual fee
729 for an out-of-state shipper's permit for alcoholic liquor other than beer
730 [shall be forty-five dollars] is the permitted use fee for Group 1, Type B
731 for a Connecticut manufacturer or wholesaler holding such a permit
732 and [shall be one thousand dollars] is the permitted use fee for Group
733 1, Type A for any other person holding such a permit.

734 Sec. 21. Section 30-18a of the general statutes is repealed and the
735 following is substituted in lieu thereof:

736 An out-of-state small winery shipper's permit for wine shall allow
737 the sale of wine to manufacturer and wholesaler permittees in this
738 state as permitted by law. Any person who applies for such permit or
739 for the renewal of such permit shall furnish an affidavit to the
740 [Department of Consumer Protection] department, in such form as
741 may be prescribed by the department, affirming that the out-of-state
742 small winery which is the subject of such permit did not produce more
743 than one hundred thousand gallons of wine during the most recently
744 completed calendar year. The annual fee for an out-of-state small
745 winery shipper's permit for wine [shall be two hundred fifty dollars] is

746 the permitted use fee for Group 1, Type B. As used in this section, "out-
747 of-state" means any state other than Connecticut, any territory or
748 possession of the United States, the District of Columbia or the
749 Commonwealth of Puerto Rico, but does not include any foreign
750 country.

751 Sec. 22. Section 30-19 of the general statutes is repealed and the
752 following is substituted in lieu thereof:

753 An out-of-state shipper's permit for beer shall allow the sale of beer
754 to manufacturer and wholesaler permittees in this state as permitted
755 by law. The annual fee for an out-of-state shipper's permit for beer
756 [shall be forty-five dollars] is the permitted use fee for Group 1, Type B
757 for a Connecticut manufacturer or wholesaler holding such a permit
758 and [shall be one thousand dollars] is the permitted use fee for Group
759 1, Type A for any other person holding such a permit.

760 Sec. 23. Section 30-19f of the general statutes is repealed and the
761 following is substituted in lieu thereof:

762 (a) An in-state transporter's permit for alcoholic liquor shall allow
763 the commercial transportation of any alcoholic liquor as permitted by
764 law. The annual fee for an in-state transporter's liquor permit [shall be
765 one thousand dollars] is the permitted use fee for Group 1, Type A.

766 (b) No person, corporation, trust, partnership, incorporated or
767 unincorporated association, and any other legal entity except: (1) The
768 holder of an out-of-state shipper's permit issued pursuant to section
769 30-18 or 30-19; (2) the holder of a manufacturer's permit issued
770 pursuant to section 30-16; and (3) the holder of a wholesaler's permit
771 issued pursuant to section 30-17 shall transport any alcoholic
772 beverages imported into this state unless such person holds an in-state
773 transporter's permit and the tax imposed on such alcoholic liquor by
774 section 12-435 has been paid.

775 (c) Any person convicted of violating subsections (a) and (b) of this
776 section shall be fined not more than two thousand dollars for each
777 offense.

778 Sec. 24. Subsections (a) and (b) of section 30-20 of the general
779 statutes are repealed and the following is substituted in lieu thereof:

780 (a) A package store permit shall allow the retail sale of alcoholic
781 liquor not to be consumed on the premises, such sales to be made only
782 in sealed bottles or other containers. The holder of a package store
783 permit may, in accordance with regulations adopted by the
784 [Department of Consumer Protection] department pursuant to the
785 provisions of chapter 54, offer free samples of alcoholic liquor for
786 tasting on the premises, conduct demonstrations and conduct tastings
787 or demonstrations provided by a permittee or backer of a package
788 store for a nominal charge to charitable nonprofit organizations. Any
789 offering, tasting or demonstration held on permit premises shall be
790 conducted only during the hours a package store is permitted to sell
791 alcoholic liquor under section 30-91. No store operating under a
792 package store permit shall sell any commodity other than alcoholic
793 liquor except that, notwithstanding any other provision of law, such
794 store may sell (1) cigarettes, (2) publications, (3) bar utensils, which
795 shall include, but need not be limited to, corkscrews, beverage
796 strainers, stirrers or other similar items used to consume or related to
797 the consumption of alcoholic liquor, (4) gift packages of alcoholic
798 liquor shipped into the state by a manufacturer or out-of-state shipper,
799 provided the dollar value of the nonalcoholic items does not exceed
800 the dollar value of the alcoholic items of the package, (5) nonalcoholic
801 beverages, (6) concentrates used in the preparation of mixed alcoholic
802 beverages, (7) beer and wine-making kits and products related to beer
803 and wine-making kits, (8) ice in any form, (9) articles of clothing
804 imprinted with advertising related to the alcoholic liquor industry, (10)
805 gift baskets or other containers of alcoholic liquor, (11) multiple
806 packages of alcoholic liquors, as defined in subdivision (3) of section

807 30-1, provided in all such cases the minimum retail selling price for
808 such alcoholic liquor shall apply, and (12) lottery tickets authorized by
809 the Division of Special Revenue, if licensed as an agent to sell such
810 tickets by said division. A package store permit shall also allow the
811 taking and transmitting of orders for delivery of such merchandise in
812 other states. Notwithstanding any other provision of law, a package
813 store permit shall allow the participation in any lottery ticket
814 promotion or giveaway sponsored by the Division of Special Revenue.
815 The annual fee for a package store permit [shall be four hundred
816 dollars plus the sum required by section 30-66] is the permitted use fee
817 for Group 2, Type A.

818 (b) A grocery store beer permit may be granted to any grocery store
819 and shall allow the retail sale of beer in standard size containers not to
820 be consumed on the premises. A holder of a grocery store beer permit
821 shall post in a prominent location adjacent to the beer display, the
822 retail price for each brand of beer and said retail price shall include all
823 applicable federal and state taxes including the applicable state sales
824 taxes. The annual fee for a grocery store beer permit [shall be eighty
825 dollars plus the sum required by section 30-66] is the permitted use fee
826 for Group 2, Type B.

827 Sec. 25. Section 30-20a of the general statutes is repealed and the
828 following is substituted in lieu thereof:

829 [(a) (1) A university permit for beer shall allow the retail sale of beer
830 on land and in a building which is subject to the care, custody and
831 control of an institution offering a program of higher learning as
832 defined by section 10a-34 which has been accredited by the Board of
833 Governors of Higher Education. Such beverages shall be available for
834 consumption on the premises by students, faculty and staff of the
835 institution or their guests. Such permits shall be under the supervision
836 and control of the Department of Consumer Protection. The annual fee
837 for a university permit for beer shall be two hundred forty dollars.]

838 [(2)] (a) A university permit for wine and beer shall allow the retail
839 sale of wine and beer on land and in a building which is subject to the
840 care, custody and control of an institution offering a program of higher
841 learning as defined by section 10a-34 which has been accredited by the
842 Board of Governors of Higher Education. Such beverages shall be
843 available for consumption on the premises by students, faculty and
844 staff of the institution or their guests. Such permits shall be under the
845 supervision and control of the [Department of Consumer Protection]
846 department. The annual fee for a university permit for beer and wine
847 [shall be five hundred sixty dollars] is the permitted use fee for Group
848 3, Type B.

849 (b) A university liquor permit shall allow the retail sale of alcoholic
850 liquor in a room that is subject to the care, custody and control of The
851 University of Connecticut Board of Trustees. Such permits shall be
852 under the supervision and control of the [Department of Consumer
853 Protection] department. The annual fee for a university liquor permit
854 [shall be two hundred forty dollars] is the permitted use fee for Group
855 3, Type A.

856 Sec. 26. Section 30-21 of the general statutes is repealed and the
857 following is substituted in lieu thereof:

858 (a) A hotel permit shall allow the retail sale of alcoholic liquor to be
859 consumed on the premises of a hotel. [The annual fee for a hotel permit
860 shall be as follows: (1) In towns having a population according to the
861 last-preceding United States census of not more than ten thousand, one
862 thousand two hundred dollars, (2) in towns having a population of
863 more than ten thousand but not more than fifty thousand, one
864 thousand six hundred dollars, and (3) in towns having a population of
865 more than fifty thousand, two thousand four hundred dollars.] The
866 annual fee for a hotel permit is the permitted use fee for Group 3, Type
867 A.

868 [(b) A hotel permit for beer shall allow the retail sale of beer and of

869 cider not exceeding six per cent of alcohol by volume to be consumed
870 on the premises of a hotel. The annual fee for a hotel permit for beer
871 shall be two hundred forty dollars.]

872 [(c)] (b) "Hotel" means every building or other structure kept, used,
873 maintained, advertised or held out to the public to be a place where
874 food is served at all times when alcoholic liquor is served and where
875 sleeping accommodations are offered for pay to transient guests,
876 where, in towns having a population according to the last-preceding
877 United States census of forty thousand or less, not less than five rooms
878 are used for the sleeping accommodations of transient guests and food
879 is served at least five days a week, and where, in towns having a
880 population according to the last-preceding United States census of
881 over forty thousand, ten or more rooms are used for the sleeping
882 accommodations of transient guests and food is served at least seven
883 days a week and, in any case, having one or more dining rooms where
884 meals are served to transient guests, such sleeping accommodations
885 and dining rooms being conducted in the same building or buildings
886 in connection therewith, and such building or buildings, structure or
887 structures being provided, in the judgment of the department, with
888 adequate and sanitary kitchen and dining room equipment and
889 capacity, and having employed therein such number and kinds of
890 servants and employees as the department may, by regulation,
891 prescribe for preparing, cooking and serving suitable food for its
892 guests. Golf facilities and swimming pools within the confines of the
893 entire property owned by and under the control of the permittee or
894 backer shall also be considered part of the hotel premises.

895 Sec. 27. Section 30-22 of the general statutes is repealed and the
896 following is substituted in lieu thereof:

897 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
898 to be consumed on the premises of a restaurant. A restaurant permit,
899 with prior approval of the [Department of Consumer Protection]

900 department, shall allow alcoholic liquor to be served at tables in
901 outside areas which are not screened from public view where
902 permitted by fire, zoning and health regulations. If not required by
903 fire, zoning or health regulations, a fence or wall enclosing such
904 outside areas shall not be required by the [Department of Consumer
905 Protection] department. No fence or wall used to enclose such outside
906 areas shall be less than thirty inches high. The annual fee for a
907 restaurant permit [shall be one thousand two hundred dollars] is the
908 permitted use fee for Group 3, Type A.

909 (b) A restaurant permit for beer shall allow the retail sale of beer
910 and of cider not exceeding six per cent of alcohol by volume to be
911 consumed on the premises of a restaurant. The annual fee for a
912 restaurant permit for beer shall be two hundred forty dollars.

913 (c) A restaurant permit for wine and beer shall allow the retail sale
914 of wine and beer and of cider not exceeding six per cent of alcohol by
915 volume to be consumed on the premises of the restaurant. The annual
916 fee for a restaurant permit for wine and beer [shall be five hundred
917 sixty dollars] is the permitted use fee for Group 3, Type B.

918 (d) Repealed by P.A. 77-112, S. 1.

919 (e) "Restaurant" means space, in a suitable and permanent building,
920 kept, used, maintained, advertised and held out to the public to be a
921 place where hot meals are [regularly] served or catered at a function,
922 occasion, or event upon the permit premises, but which has no
923 sleeping accommodations for the public and which shall be provided
924 with an adequate and sanitary kitchen and dining room and employs
925 at all times an adequate number of employees.

926 Sec. 28. Subsection (a) of section 30-22a of the general statutes is
927 repealed and the following is substituted in lieu thereof:

928 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be

929 consumed on the premises of a cafe. Premises operated under a cafe
930 permit shall regularly keep food available for sale to its customers for
931 consumption on the premises. The availability of sandwiches, soups or
932 other foods, whether fresh, processed, precooked or frozen, shall be
933 deemed compliance with this requirement. The licensed premises shall
934 at all times comply with all the regulations of the local department of
935 health. Nothing [herein] in this section shall be construed to require
936 that any food be sold or purchased with any liquor, nor shall any rule,
937 regulation or standard be promulgated or enforced requiring that the
938 sale of food be substantial or that the receipts of the business other
939 than from the sale of liquor equal any set percentage of total receipts
940 from sales made [therein] by such business. A cafe permit shall allow,
941 with the prior approval of the [Department of Consumer Protection]
942 department, alcoholic liquor to be served at tables in outside areas that
943 are not screened from public view where permitted by fire, zoning and
944 health regulations. If not required by fire, zoning or health regulations,
945 a fence or wall enclosing such outside areas shall not be required by
946 the [Department of Consumer Protection] department. No fence or
947 wall used to enclose such outside areas shall be less than thirty inches
948 high. The annual fee for a cafe permit [shall be one thousand seven
949 hundred fifty dollars] is the permitted use fee for Group 3, Type A.

950 Sec. 29. Section 30-23 of the general statutes is repealed and the
951 following is substituted in lieu thereof:

952 (a) A club permit shall allow the retail sale of alcoholic liquor to be
953 consumed on the premises of a club but only by members or their
954 guests. The annual fee for a club permit [shall be two hundred forty
955 dollars] is the permitted use fee for Group 3, Type C.

956 (b) "Club" means an association of persons, whether incorporated or
957 unincorporated, which has been in existence as a bona fide
958 organization for at least three years prior to applying for a permit
959 issued as provided by this chapter, or has been a bona fide national or

960 international fraternal or social organization or affiliation thereof
961 which has been in existence in this state for one year, for the promotion
962 of some common object, not including associations organized for any
963 commercial or business purpose the object of which is money profit,
964 owning, hiring or leasing a building, or space in a building, or having
965 substantial control of a building or space therein, of such extent and
966 character as, in the judgment of the department, may be suitable and
967 adequate for the reasonable and comfortable use and accommodation
968 of its members and their guests; provided, as to such clubs as the
969 department finds to be bona fide and which offer facilities and
970 privileges in addition to the privileges of the club building, such as
971 golf, tennis, bathing or beach facilities, hunting or riding, the three-
972 year requirement shall not apply; and provided such club shall file
973 with the department, upon request, within ten days of February first in
974 each year, a list of the names and residences of its members, and shall
975 similarly file, within ten days of the election of any additional member,
976 [his] such member's name and address, and provided its aggregate
977 annual membership fees or dues and other income, exclusive of any
978 proceeds of the sale of alcoholic liquor, shall be sufficient to defray the
979 annual rental of its leased or rented premises, or, if such premises are
980 owned by the club, shall be sufficient to meet the taxes, insurance and
981 repairs and the interest on any mortgage thereof; and provided,
982 further, its affairs and management shall be conducted by a board of
983 directors, executive committee or similar body chosen by the members
984 at their annual meeting, and no member or any officer, agent or
985 employee of the club shall be paid or, directly or indirectly, shall
986 receive in the form of salary or other compensation any profits from
987 the disposition or sale of alcoholic liquor to the club or to the members
988 of the club or its guests introduced by members, beyond the amount of
989 such salary as may be fixed and voted at annual meetings by the
990 members or by its directors or other governing body and as reported
991 by the club to the department, within three months after such annual
992 meeting, and as, in the judgment of the department, is reasonable and

993 proper compensation for the services of such member, officer, agent or
994 employee.

995 (c) A nonprofit club permit shall allow the retail sale of alcoholic
996 liquor to be consumed on the premises of a nonprofit club by members
997 or their guests and by persons other than members or their guests,
998 provided the total receipts of such club in any year, including receipts
999 from the sale of alcoholic liquor, derived from making its facilities and
1000 services available to such persons in furtherance of such club's
1001 recreational or other nonprofit purpose shall not exceed fifteen per
1002 cent of such club's gross receipts for such year. "Nonprofit club" means
1003 a club that is exempt from federal income tax under Section 501(a) of
1004 the Internal Revenue Code and is described in Section 501(c) of the
1005 code. The annual fee for a nonprofit club permit [shall be six hundred
1006 fifty dollars] is the permitted use fee for Group 3, Type C.

1007 Sec. 30. Subsection (a) of section 30-24a of the general statutes is
1008 repealed and the following is substituted in lieu thereof:

1009 (a) A golf country club permit shall allow the retail sale of alcoholic
1010 liquor to be consumed on the premises of a golf country club but only
1011 by members and their guests. Notwithstanding section 30-23, in a no-
1012 permit town a golf country club permit shall allow the retail sale of
1013 alcoholic liquor to be consumed on the premises by members of a
1014 nonprofit service club located in such town at a function of such club
1015 held at such golf country club. The annual fee for a golf country club
1016 permit [shall be eight hundred dollars] is the permitted use fee for
1017 Group 3, Type C.

1018 Sec. 31. Subsection (a) of section 30-25 of the general statutes is
1019 repealed and the following is substituted in lieu thereof:

1020 (a) A special club permit shall allow the sale of alcoholic liquor by
1021 the drink at retail to be consumed at the grounds of an outdoor picnic
1022 conducted by a club or golf country club. Such permits shall be issued

1023 only to holders of club or golf country club permits and shall be issued
1024 on a daily basis subject to the hours of sale in section 30-91, and shall
1025 be the same as provided therein for clubs and golf country clubs. [The
1026 exception that applies to railroad and boat permits in section 30-48
1027 shall apply to such a special club permit.] No such club or golf country
1028 club shall be granted more than four such special club permits during
1029 any one calendar year.

1030 Sec. 32. Section 30-26 of the general statutes is repealed and the
1031 following is substituted in lieu thereof:

1032 A tavern permit shall allow the retail sale of beer and of cider not
1033 exceeding six per cent of alcohol by volume and wine to be consumed
1034 on the premises of a tavern with or without the sale of food. "Tavern"
1035 means a place where beer and wine are sold under a tavern permit.
1036 The annual fee for a tavern permit [shall be two hundred forty dollars]
1037 is the permitted use fee for Group 3, Type B.

1038 Sec. 33. Section 30-32 of the general statutes is repealed and the
1039 following is substituted in lieu thereof:

1040 A warehouse [bottling] permit shall allow the storage and bottling
1041 of alcoholic liquor on the premises of a bonded warehouse, but no
1042 such permit shall be granted unless the place has received the approval
1043 of the Department of Consumer Protection. [A warehouse storage
1044 permit shall allow the storage of alcoholic liquor on the premises of a
1045 bonded warehouse, but no such permit shall be granted unless the
1046 place has received the approval of the department.] The annual fee for
1047 a warehouse [bottling] permit [shall be one hundred sixty dollars and
1048 for a warehouse storage permit shall be thirty-five dollars] is the
1049 permitted use fee for Group 1, Type B.

1050 Sec. 34. Section 30-33 of the general statutes is repealed and the
1051 following is substituted in lieu thereof:

1052 A concession permit shall allow the sale and consumption of beer or
1053 wine on the premises of any fair grounds, ball park, amusement park,
1054 indoor-outdoor amphitheater, outdoor amphitheater contiguous to
1055 and under the same ownership as an amusement park, public golf
1056 course or sports arena provided no sales [of alcoholic liquor] shall
1057 occur within one hour of the scheduled end of a performance at an
1058 indoor-outdoor amphitheater constructed to seat not less than fifteen
1059 thousand people. [A concession permit shall also allow the sale and
1060 consumption of alcohol or spirits in all enclosed nonseating areas
1061 within an indoor-outdoor amphitheater. Such areas shall be enclosed
1062 by a fence or wall not less than thirty inches high and separate from
1063 each other.] Such permit shall be issued in the discretion of the
1064 [Department of Consumer Protection] department and shall be
1065 effective only in accordance with a schedule of hours and days
1066 determined by the department for each such permit within the
1067 limitation of hours and days fixed by law. As used in this section,
1068 "public golf course" means a golf course of not less than nine holes and
1069 a course length of not less than twenty-seven hundred fifty yards. The
1070 fee for a concession permit [shall be as follows: For a period of one
1071 year, two hundred forty dollars; for a period of six months, one
1072 hundred sixty dollars; and for a period of one day, twenty-five dollars]
1073 is the permitted use fee for Group 3, Type B.

1074 Sec. 35. Subsections (a) to (c), inclusive, of section 30-33a of the
1075 general statutes are repealed and the following is substituted in lieu
1076 thereof:

1077 (a) A coliseum permit shall allow the retail sale of alcoholic liquor in
1078 any portion of the coliseum, including the coliseum club, to be
1079 consumed on the premises of the coliseum except that the retail sale of
1080 alcoholic liquor shall not be permitted under this permit in the arena of
1081 the coliseum during a sporting event, concert, exhibition, trade show,
1082 entertainment presentation or similar function and in any public
1083 restaurant located on the premises. A coliseum permit shall allow the

1084 retail sale of alcoholic liquor in the arena of the coliseum during a
1085 convention, banquet, meeting, dance, fund-raising function or similar
1086 function provided sales of alcoholic liquor shall occur at a coliseum
1087 within one hour of the scheduled end of a function at such coliseum.
1088 The annual fee for a coliseum permit [shall be two thousand dollars] is
1089 the permitted use fee for Group 3, Type A.

1090 (b) A coliseum [concession] permit shall allow the retail sale and
1091 consumption of beer, in [paper] nonglass containers only, at sporting
1092 events within the arena and at concession stands within the arena or
1093 outside the arena but directly connected to the arena or in areas
1094 adjacent to the hallways for public passage around the arena. The
1095 coliseum [concession] permit shall allow the retail sale and
1096 consumption of beer, in [paper] nonglass containers only, at such
1097 concession stands only during (1) a trade show for which a ticket is
1098 required for admission; (2) an exhibition for which a ticket is required
1099 for admission or (3) a convention. No sales of beer shall occur at a
1100 coliseum concession stand within one hour of the scheduled end of a
1101 function at such coliseum. [The annual fee for a coliseum concession
1102 permit shall be one thousand dollars.]

1103 (c) Notwithstanding any provision of this chapter to the contrary,
1104 neither the permittee nor the backer of a coliseum permit [or a
1105 coliseum concession permit] need be a proprietor if the coliseum for
1106 which such permit is being applied for is owned by a municipality or a
1107 municipal authority. The Department of Consumer Protection shall
1108 have discretionary powers to waive requirements where physical
1109 conditions [make] obviate compliance, [an impossibility.]

1110 Sec. 36. Section 30-33b of the general statutes is repealed and the
1111 following is substituted in lieu thereof:

1112 (a) A special sporting facility [restaurant] permit shall allow the
1113 retail sale of alcoholic liquor at any location in a special sporting
1114 facility [kept, used, maintained, advertised and held out to the public

1115 to be a place where hot meals are regularly served and which has an
1116 adequate and sanitary kitchen and dining room and has employed
1117 therein at all times an adequate number of employees,] provided such
1118 alcoholic liquor is to be consumed within the special sporting facility.
1119 The annual fee for a special sporting facility [restaurant] permit [shall
1120 be one thousand two hundred dollars] is the permitted use fee for
1121 Group 3, Type A.

1122 [(b) A special sporting facility employee recreational permit shall
1123 allow the retail sale of beer in an establishment located within a special
1124 sporting facility and created to provide eating, sleeping and
1125 recreational accommodations to any person employed within such
1126 special sporting facility, provided such beer is to be consumed within
1127 such special sporting facility. The annual fee for a special sporting
1128 facility employee recreational permit shall be two hundred forty
1129 dollars.

1130 (c) A special sporting facility guest permit shall allow the retail sale
1131 of alcoholic liquor at any location in a special sporting facility reserved
1132 for guests approved by the holder of such permit and by the operator
1133 of such special sporting facility, provided such alcoholic liquor is to be
1134 consumed within such special sporting facility. The annual fee for a
1135 special sporting facility guest permit shall be two hundred forty
1136 dollars.

1137 (d) A special sporting facility concession permit shall allow the retail
1138 sale of beer and wine at locations within a special sporting facility,
1139 provided such beer and wine is to be consumed within such special
1140 sporting facility. The annual fee for a special sporting facility
1141 concession permit shall be two hundred forty dollars.

1142 (e) A special sporting facility bar permit shall allow the retail sale of
1143 alcoholic liquor at any location within a special sporting facility,
1144 provided such alcoholic liquor is to be consumed within such special
1145 sporting facility. The annual fee for a special sporting facility bar

1146 permit shall be three hundred dollars.

1147 (f) Notwithstanding the provisions of section 30-52, a coliseum
1148 concession permit that is issued to a municipality or a municipal
1149 authority shall allow the sale and consumption of beer and wine at jai
1150 alai frontons located within the boundaries of the municipality at such
1151 times when the municipality is a lessee or has physical control of the
1152 fronton; provided no such coliseum concession permit shall be issued
1153 or valid after December 31, 1982. The existence of another permit for
1154 the same fronton shall not bar sales under the coliseum concession
1155 permit and sales under a coliseum concession permit shall not bar the
1156 issuance or operation of any other permit on the fronton premises.]

1157 [(g)] (b) [Any of the special] Special sporting facility permits
1158 [established under subsections (a) to (e), inclusive, of this section] shall
1159 allow the retail sale of alcoholic liquor by such special sporting facility
1160 to any bona fide, nonprofit organization that rents, leases or otherwise
1161 uses such facility for social gatherings and events sponsored by such
1162 organization.

1163 [(h)] (c) "Special sporting facility" means all of the land and
1164 buildings in which the principal business conducted is racing or jai alai
1165 exhibitions with pari-mutuel betting licensed by the gaming policy
1166 board.

1167 Sec. 37. Section 30-33c of the general statutes is repealed and the
1168 following is substituted in lieu thereof:

1169 [(a)] A special outing facility beer permit shall allow the retail sale of
1170 beer by a special outing facility to be consumed on its premises by
1171 patrons.]

1172 [(b)] (a) A special outing facility liquor permit shall allow the retail
1173 sale of alcoholic liquor by a special outing facility to be consumed on
1174 its premises by patrons.

1175 [(c)] (b) The annual fee for a [special outing facility beer permit shall
1176 be two hundred forty dollars and for a] special outing facility liquor
1177 permit [shall be one thousand two hundred dollars] is the permitted
1178 use fee for Group 3, Type A.

1179 [(d)] (c) "Special outing facility" means a facility designed,
1180 constructed and used for corporate and private parties, sporting
1181 events, concerts, exhibitions, trade shows, entertainment presentations,
1182 conventions, banquets, meetings, dances, fund raising events and
1183 similar functions, located on a tract of land of not less than twenty
1184 acres containing an enclosed roofed pavilion constructed to seat not
1185 less than two hundred fifty people, where hot meals are regularly
1186 served in an adequate and sanitary dining area, such meals having
1187 been prepared in an adequate and sanitary kitchen on the premises,
1188 and employing an adequate number of employees who shall serve
1189 only persons who are at such outing facility to attend an event,
1190 function, private party or banquet.

1191 Sec. 38. Section 30-34 of the general statutes is repealed and the
1192 following is substituted in lieu thereof:

1193 A military [permit] registration shall allow the retail sale of beer at
1194 any camp or military installation used and controlled by the
1195 Connecticut National Guard or the state guard. [The annual fee for a
1196 military permit shall be fifteen dollars.] An applicant for a military
1197 registration shall file a sworn application for such registration in the
1198 form and manner required by the department. Upon approval of the
1199 application, the department shall issue a military registration which
1200 shall remain in effect until there is a change in use and control of the
1201 camp or military installation. There is no fee for a military registration.

1202 Sec. 39. Subsection (a) of section 30-35a of the general statutes, as
1203 amended by public act 99-54, is repealed and the following is
1204 substituted in lieu thereof:

1205 (a) A nonprofit theater permit shall allow the retail sale of alcoholic
1206 liquor by a nonprofit theater to be consumed on its premises by
1207 patrons on any day on which a performance is given and twelve other
1208 days per year; provided the proceeds derived from such sales, except
1209 for reasonable operating costs, shall be used in furtherance of the
1210 charitable, literary and educational activities of such theater. The
1211 annual fee for a nonprofit theater permit [shall be two hundred
1212 dollars] is the permitted use fee for Group 3, Type C.

1213 Sec. 40. Section 30-36 of the general statutes is repealed and the
1214 following is substituted in lieu thereof:

1215 A druggist permit may be issued by the [Department of Consumer
1216 Protection] department to a drug store proprietor. No druggist permit
1217 shall be issued covering a new drug store or a new location for an old
1218 drug store until the Commission of Pharmacy is satisfied that a drug
1219 store at such location is necessary to the convenience and best interest
1220 of the public. A druggist permit (1) shall allow the use of alcoholic
1221 liquors for the compounding of prescriptions of physicians, advanced
1222 practice registered nurses, physician assistants and dentists and for the
1223 manufacturing of all United States Pharmacopoeia and National
1224 Formulary preparations and all other medicinal preparations, (2) shall
1225 allow the retail sale of alcoholic liquor in containers of not less than
1226 eight ounces or one hundred eighty-seven and one-half milliliters and
1227 not more than one quart or one liter capacity except that beer may be
1228 sold in containers of not more than forty ounces or twelve hundred
1229 milliliters capacity, to any person, and (3) shall forbid the drinking of
1230 such alcoholic liquor on the premises of any drug store. Such permittee
1231 shall keep all alcoholic liquors in compartments, which compartments
1232 shall be securely locked except during those hours when the sale of
1233 alcoholic liquor is permitted by law. The holder of a druggist permit
1234 shall not display any alcoholic liquors or containers, marked or labeled
1235 or in any other way suggesting the contents of intoxicating liquors, in
1236 the windows of the permit premises. The Commission of Pharmacy

1237 shall revoke or suspend the pharmacy license of any pharmacist upon
1238 whose premises any violation of any provision of this section occurs.
1239 The annual fee for a druggist permit [shall be four hundred dollars
1240 plus the sum required by section 30-66] is the permitted use fee for
1241 Group 2, Type A.

1242 Sec. 41. Subsection (a) of section 30-37a of the general statutes is
1243 repealed and the following is substituted in lieu thereof:

1244 (a) A nonprofit public museum permit shall allow the retail sale of
1245 alcoholic liquor by a nonprofit public museum only on land and in
1246 buildings that are subject to the care, custody and control of its board
1247 of trustees to be consumed on its premises by its patrons on any day
1248 on which such nonprofit public museum is open to visitors from the
1249 general public. Proceeds derived from such sales, except for reasonable
1250 operating costs, shall be used in furtherance of the charitable, literary
1251 and educational activities of such nonprofit public museum. Sections
1252 30-9 to 30-13, inclusive, and 30-91, insofar as said sections refer to local
1253 regulations of sales, shall not apply to such permit. The annual fee for
1254 a nonprofit public museum permit [shall be two hundred dollars] is
1255 the permitted use fee for Group 3, Type C.

1256 Sec. 42. Section 30-37c of the general statutes is repealed and the
1257 following is substituted in lieu thereof:

1258 (a) A [bowling establishment] recreational facility permit for
1259 alcoholic liquor shall allow the retail sale of alcoholic liquor to be
1260 consumed on the premises of a commercial bowling establishment
1261 containing ten or more lanes or on the premises of a commercial
1262 racquetball facility. The annual fee for a recreational facility permit for
1263 alcoholic liquor is the permitted use fee for Group 3, Type A.

1264 (b) A [bowling establishment] recreational facility permit for beer
1265 and wine shall allow the retail sale of beer to be consumed on the
1266 premises of a commercial bowling establishment containing ten or

1267 more lanes or on the premises of a commercial racquetball facility. The
1268 annual fee for a [bowling establishment permit shall be two thousand
1269 dollars and for a bowling establishment permit for beer shall be three
1270 hundred fifty dollars] recreational facility permit for beer and wine is
1271 the permitted use fee for Group 3, Type B.

1272 [(b) A racquetball facility permit shall allow the retail sale of
1273 alcoholic liquor to be consumed on the premises of a commercial
1274 racquetball facility containing five or more courts. The annual fee for a
1275 racquetball facility permit shall be two thousand dollars.]

1276 Sec. 43. Section 30-37e of the general statutes is repealed and the
1277 following is substituted in lieu thereof:

1278 [(a)] An airport [restaurant] permit shall allow the retail sale or
1279 dispensing of alcoholic liquor at any department approved location in
1280 the Bradley International Airport passenger terminal complex or any
1281 department approved location adjacent to and attached by common
1282 partition to said complex, [kept, used, maintained, advertised and held
1283 out to the public to be a place where hot meals are regularly served
1284 and which has an adequate and sanitary kitchen and dining room and
1285 has employed therein at all times an adequate number of employees,]
1286 with or without food, provided such alcoholic liquor is to be consumed
1287 on the department approved premises. The annual fee for an airport
1288 restaurant permit [shall be one thousand two hundred dollars] is the
1289 permitted use fee for Group 3, Type A.

1290 [(b) An airport bar permit shall allow the retail sale of alcoholic
1291 liquor at any location in the Bradley International Airport passenger
1292 terminal complex or any location adjacent to and attached by common
1293 partition to said complex, with or without the sale of food, for
1294 consumption on the premises. The annual fee for an airport bar permit
1295 shall be three hundred dollars.

1296 (c) An airport airline club permit shall allow the retail sale of

1297 alcoholic liquor at any location in the Bradley International Airport
1298 passenger terminal complex or any location adjacent to and attached
1299 by common partition to said complex, with or without the sale of food,
1300 for consumption on the premises by airline club members or their
1301 guests. Any airline or other concessionaire under lease or other
1302 agreement with the state of Connecticut may receive an airport airline
1303 club permit. The annual fee for an airport airline club permit shall be
1304 six hundred fifty dollars.]

1305 Sec. 44. Section 30-37g of the general statutes is repealed and the
1306 following is substituted in lieu thereof:

1307 A nonprofit golf tournament permit shall allow the retail sale of
1308 alcoholic liquor to be consumed on the premises of a golf country club
1309 at which a golf tournament, sponsored by an organization that is
1310 exempt from taxation under Section 501 (c) (4) of the Internal Revenue
1311 Code of 1986 or any subsequent corresponding internal revenue code
1312 of the United States, as from time to time amended, is being
1313 conducted. Such permit shall be issued to any such organization for a
1314 period not to exceed eight days. Only one such permit shall be issued
1315 in any calendar year. Such permit shall allow the operation of not more
1316 than twenty-five consumer bars on the grounds of a golf country club.
1317 The fee for a nonprofit golf tournament permit [shall be two hundred
1318 dollars] is the permitted use fee for Group 3, Type C.

1319 Sec. 45. Section 30-38 of the general statutes is repealed and the
1320 following is substituted in lieu thereof:

1321 Each permit granted under the provisions of section 30-16, 30-17, 30-
1322 20, 30-20a, 30-21, [30-21b,] 30-22, 30-22a, 30-23, 30-24a, 30-26, [30-28, 30-
1323 28a, 30-29,] 30-33a, 30-33b, 30-33c, 30-36, 30-37c, section 54 of this act or
1324 30-37e, shall also, under the regulations of the [Department of
1325 Consumer Protection] department, allow the storage, on the premises
1326 and at one other secure location registered with and approved by the
1327 department, of sufficient quantities of alcoholic liquor respectively

1328 allowed to be sold under such permits as may be necessary for the
1329 business conducted by the respective permittees or their backers; but
1330 no such permit shall be granted under the provisions of section 30-16
1331 or 30-17 unless such storage facilities are provided and the place of
1332 storage receives the approval of the department as to suitability, and
1333 thereafter no place of storage shall be changed nor any new place of
1334 storage utilized without the approval of the department.

1335 Sec. 46. Subsection (b) of section 30-39 of the general statutes is
1336 repealed and the following is substituted in lieu thereof:

1337 (b) (1) Any person desiring a liquor permit or a renewal of such a
1338 permit shall make a sworn application therefor to the [Department of
1339 Consumer Protection] department upon forms to be furnished by the
1340 department, showing the name and address of the applicant and of
1341 [his] the applicant's backer, if any, the location of the club or place of
1342 business which is to be operated under such permit and a financial
1343 statement setting forth all elements and details of any business
1344 transactions connected with the application. Such application shall
1345 include a detailed description of the type of live entertainment that is
1346 to be provided. A club or place of business shall be exempt from
1347 providing such detailed description if the club or place of business (A)
1348 was issued a liquor permit prior to October 1, 1993, and (B) has not
1349 altered the type of entertainment provided. The application shall also
1350 indicate any crimes of which the applicant or [his] the applicant's
1351 backer may have been convicted. Applicants shall submit documents
1352 sufficient to establish that state and local building, fire and zoning
1353 requirements and local ordinances concerning hours and days of sale
1354 will be met, except that local building and zoning requirements and
1355 local ordinances concerning hours and days of sale shall not apply to
1356 any class of airport permit. The State Fire Marshal or [his] the State Fire
1357 Marshal's certified designee shall be responsible for approving
1358 compliance with the State Fire Code at Bradley International Airport.
1359 Any person desiring a permit provided for in section 30-33b shall file a

1360 copy of his or her license from the Division of Special Revenue or the
1361 Gaming Policy Board with such application. The department may, at
1362 its discretion, conduct an investigation to determine whether a permit
1363 shall be issued to an applicant.

1364 (2) The applicant shall pay to the department a nonrefundable
1365 application fee, which fee shall be in addition to the fees prescribed in
1366 this chapter for the permit sought. An application fee shall not be
1367 charged for an application to renew a permit. The application fee shall
1368 be in the amount of ten dollars for the filing of each application for a
1369 permit by a charitable organization, including a nonprofit public
1370 television corporation, a nonprofit golf tournament permit, a
1371 temporary permit or a special club permit; and for all other permits in
1372 the amount of one hundred dollars for the filing of an initial
1373 application. Any permit issued shall be valid only for the purposes and
1374 activities described in the application. An applicant may request to
1375 change the permitted use of an existing permit within Group 3 by
1376 filing an amended application with the department. If the department
1377 approves such amended application, the amended permit remains in
1378 effect until the expiration date of the original permit with no additional
1379 permit fee.

1380 (3) The applicant, immediately after filing an application, shall give
1381 notice thereof, with the name and residence of the permittee, the [type]
1382 permitted use of permit applied for and the location of the place of
1383 business for which such permit is to be issued and the type of live
1384 entertainment to be provided, all in a form prescribed by the
1385 department, by publishing the same in a newspaper having a
1386 circulation in the town in which the place of business to be operated
1387 under such permit is to be located, at least once a week for two
1388 successive weeks, the first publication to be not more than seven days
1389 after the filing date of the application and the last publication not more
1390 than fourteen days after the filing date of the application. The
1391 applicant shall affix, and maintain in a legible condition upon the outer

1392 door of the building wherein such place of business is to be located
1393 and clearly visible from the public highway, the placard provided by
1394 the department, not later than the day following the receipt of the
1395 placard by the applicant. If such outer door of such premises is so far
1396 from the public highway that such placard is not clearly visible as
1397 provided, the department shall direct a suitable method to notify the
1398 public of such application. When an application is filed for any [type]
1399 permitted use of permit for a building that has not been constructed,
1400 such applicant shall erect and maintain in a legible condition a sign not
1401 less than six feet by four feet upon the site where such place of
1402 business is to be located, instead of such placard upon the outer door
1403 of the building. The sign shall set forth the type of permit applied for
1404 and the name of the proposed permittee, shall be clearly visible from
1405 the public highway and shall be so erected not later than the day
1406 following the receipt of the placard. Such applicant shall make a return
1407 to the department, under oath, of compliance with the foregoing
1408 requirements, in such form as the department may determine, but the
1409 department may require any additional proof of such compliance.
1410 Upon receipt of evidence of such compliance, the department may
1411 hold a hearing as to the suitability of the proposed location. The
1412 provisions of this subdivision shall not apply to applications for
1413 [airline permits,] transit permits, charitable organization permits,
1414 temporary permits, special club permits, concession permits, military
1415 [permits, railroad permits, boat permits] registrations, warehouse
1416 permits, [brokers' permits,] out-of-state shippers' permits for alcoholic
1417 liquor and out-of-state shippers' permits for beer, coliseum permits,
1418 [coliseum concession permits,] special sporting facility [restaurant]
1419 permits, [special sporting facility employee recreational permits,
1420 special sporting facility guest permits, special sporting facility
1421 concession permits, special sporting facility bar permits,] nonprofit
1422 golf tournament permits, nonprofit public television permits and
1423 renewals.

1424 (4) In any case in which a permit has been issued to a partnership, if

1425 one or more of the partners dies or retires, the remaining partner or
1426 partners need not file a new application for the unexpired portion of
1427 the current permit, and no additional fee for such unexpired portion
1428 shall be required. Notice of any such change shall be given to the
1429 department and the permit shall be endorsed to show correct
1430 ownership. When any partnership changes by reason of the addition of
1431 one or more persons, a new application with new fees shall be
1432 required.

1433 Sec. 47. Section 30-45 of the general statutes is repealed and the
1434 following is substituted in lieu thereof:

1435 The [Department of Consumer Protection] department shall refuse
1436 permits for the sale of alcoholic liquor to the following persons: (1)
1437 Any sheriff, deputy sheriff, judge of any court, prosecuting officer or
1438 member of any police force, (2) any first selectman holding office and
1439 acting as a chief of police in the town within which the permit
1440 premises are to be located, (3) a minor, and (4) any constable who
1441 performs criminal law enforcement duties and is considered a peace
1442 officer by town ordinance pursuant to the provisions of subsection (a)
1443 of section 54-1f, any constable who is certified under the provisions of
1444 sections 7-294a to 7-294e, inclusive, who performs criminal law
1445 enforcement duties pursuant to the provisions of subsection (c) of
1446 section 54-1f, or any special constable appointed pursuant to section 7-
1447 92. This section shall not apply to out-of-state shippers' [, boat and
1448 airline] or transit permits. As used in this section, "minor" means a
1449 minor as defined in section 1-1d or as defined in section 30-1,
1450 whichever age is older.

1451 Sec. 48. Section 30-46 of the general statutes is repealed and the
1452 following is substituted in lieu thereof:

1453 (a) The [Department of Consumer Protection] department may,
1454 except as to a store engaged chiefly in the sale of groceries, in its
1455 discretion, suspend, revoke or refuse to grant or renew a permit for the

1456 sale of alcoholic liquor if it has reasonable cause to believe: (1) That the
1457 proximity of the permit premises will have a detrimental effect upon
1458 any church, public or parochial school, convent, charitable institution,
1459 whether supported by private or public funds, hospital or veterans'
1460 home or any camp, barracks or flying field of the armed forces; (2) that
1461 such location is in such proximity to a no-permit town that it is
1462 apparent that the applicant is seeking to obtain the patronage of such
1463 town; (3) that the number of permit premises in the locality is such that
1464 the granting of a permit is detrimental to the public interest, and, in
1465 reaching a conclusion in this respect, the department may consider the
1466 character of, the population of, the number of like permits and number
1467 of all permits existent in, the particular town and the immediate
1468 neighborhood concerned, the effect which a new permit may have on
1469 such town or neighborhood or on like permits existent in such town or
1470 neighborhood; (4) that the place has been conducted as a lewd or
1471 disorderly establishment; (5) that the backer does not have a right to
1472 occupy the permit premises; (6) that drive-up sales of alcoholic liquor
1473 are being made at the permit premises; or (7) that there is any other
1474 reason as provided by state or federal law or regulation which
1475 warrants such refusal.

1476 (b) (1) The existence of a coliseum permit [or a coliseum concession
1477 permit] shall not be a factor to be taken into consideration under
1478 subdivision (3) of subsection (a) of this section. (2) The provisions of
1479 subdivisions (1), (2) and (3) of subsection (a) of this section shall not
1480 apply to the granting of a coliseum [permit or a coliseum concession]
1481 permit. (3) The provisions of subdivisions (1), (2), (3), (5) and (6) of
1482 subsection (a) of this section shall not apply to the granting of [any] a
1483 special sporting facility permit provided for in section 30-33b.

1484 (c) Alcoholic liquor may be sold at retail for consumption within a
1485 special sporting facility only under the [permits] permit provided for
1486 in section 30-33b. [The number of permits of any class, the location
1487 where alcoholic liquor is to be sold under any such permit, the number

1488 of locations to be operated under a special sporting facility concession
1489 permit, and the areas within such facility where alcoholic liquor may
1490 be consumed shall be determined by the Department of Consumer
1491 Protection in its discretion.]

1492 Sec. 49. Subsection (a) of section 30-48 of the general statutes is
1493 repealed and the following is substituted in lieu thereof:

1494 (a) No backer or permittee of one [permit class] permitted use shall
1495 be a backer or permittee of any other [permit class except in the case of
1496 any class of airport, railroad, airline and boat permits, and except that:
1497 (1) A backer of a hotel or restaurant permit may be a backer of both
1498 such classes; (2) a holder or backer of a manufacturer permit for a brew
1499 pub, a restaurant permit or a cafe permit may be a holder or backer of
1500 any other or all of such classes; (3) a holder or backer of a restaurant
1501 permit may be a holder or backer of a bowling establishment permit;
1502 (4) a backer of a restaurant permit may be a backer of a coliseum
1503 permit or a coliseum concession permit, or both, when such restaurant
1504 is within a coliseum; (5) a backer of a hotel permit may be a backer of a
1505 coliseum permit or a coliseum concession permit, or both; (6) a backer
1506 of a coliseum permit may be a backer of a coliseum concession permit;
1507 (7) a backer of a coliseum concession permit may be a backer of a
1508 coliseum permit; (8) a backer of a grocery store beer permit may be a
1509 backer of a package store permit if such was the case on or before May
1510 1, 1996; (9) a backer of a university permit may be a backer of a
1511 nonprofit theater permit; (10) subject to the discretion of the
1512 department, a backer of a permit provided for in section 30-33b, may
1513 be a backer of any other retail on-premise consumption permit,
1514 including those permits provided for in section 30-33b; (11) a backer of
1515 a nonprofit theater permit may be a holder or backer of a hotel permit;
1516 (12) a holder or backer of a restaurant permit may be a holder or
1517 backer of a special outing facility permit; and (13) a backer of a
1518 concession permit may be a backer of a coliseum permit or a coliseum
1519 concession permit, or both. Any person may be a permittee of more

1520 than one permit. A person may be a permittee under a permit
1521 provided for in section 30-33b and a backer of any other retail on-
1522 premise consumption permit, including those permits provided for in
1523 section 30-33b. The operator of a racing or jai alai exhibition with pari-
1524 mutuel betting licensed by the Gaming Policy Board may be a backer
1525 of any permit provided for in section 30-33b. No holder of a
1526 manufacturer permit for a brew pub and no spouse or child of such
1527 holder may be a holder or backer of more than three restaurant
1528 permits or cafe permits] permitted use, except: (1) A backer of a
1529 grocery store beer permit who was backer of a package store permit on
1530 or before May 1, 1996; (2) a backer of any permitted use in Group 3
1531 may be a backer of any other permitted use in Group 3; (3) a backer of
1532 a manufacturer's permit for alcoholic liquor may be a backer of a
1533 manufacturer's permit for beer; (4) a backer of a wholesaler's permit
1534 for alcoholic liquor may be the backer of a manufacturer's permit for
1535 beer; and (5) as otherwise provided by statute.

1536 Sec. 50. Section 30-48b of the general statutes is repealed and the
1537 following is substituted in lieu thereof:

1538 Notwithstanding any provision of the general statutes or any
1539 special act or any municipal charter to the contrary, a municipality or a
1540 civic center authority or a coliseum authority created by a municipality
1541 may be the backer of a coliseum permit, [or coliseum concession
1542 permit, or both,] provided approval is given therefor by the legislative
1543 body of such municipality. Governmental immunity shall not be a
1544 defense to any cause of action arising out of operation under such
1545 permit.

1546 Sec. 51. Section 30-53 of the general statutes is repealed and the
1547 following is substituted in lieu thereof:

1548 [Each] Except for transit permits, each permit granted or renewed
1549 by the [Department of Consumer Protection] department shall be of no
1550 effect until a duplicate thereof has been filed by the permittee with the

1551 town clerk of the town within which the club or place of business
1552 described in such permit is situated. [; provided the place of filing of
1553 railroad and boat permits shall be the office of the town clerk of the
1554 town of New Haven, and airline permits, the office of the town clerk of
1555 the town of Hartford. The fee for such filing shall be two dollars.]

1556 Sec. 52. Section 30-54 of the general statutes is repealed and the
1557 following is substituted in lieu thereof:

1558 Every permittee, other than a corporation holding a [railroad or
1559 airline] transit permit, shall cause [his] such permittee's permit or a
1560 duplicate thereof to be framed and hung in plain view in a
1561 conspicuous place in any room where the sales so permitted are to be
1562 carried on.

1563 Sec. 53. Subsection (a) of section 30-77 of the general statutes is
1564 repealed and the following is substituted in lieu thereof:

1565 (a) Any person who, without a permit therefor, except as provided
1566 in section 30-37, or contrary to the provisions of this chapter and the
1567 regulations of the [Department of Consumer Protection] department
1568 with respect to the [class] permitted use of permit held by [him] such
1569 person, manufactures or, by sample, by soliciting or procuring orders,
1570 or otherwise, sells or delivers, or offers or exposes for sale or delivery,
1571 or owns or keeps with intent to sell or deliver, or who ships, transports
1572 or imports into this state, any alcoholic liquor, shall be subject to the
1573 penalties prescribed in section 30-113; provided nothing in this section
1574 shall prohibit any common carrier, warehouseman or other lien holder,
1575 or any officer acting under legal process, or any insurance company
1576 that acquires the same as the result of fire, flood or water damage,
1577 from exercising [his] such person's or [its] such entity's right to sell
1578 alcoholic liquor under a lien or such process or such acquisition, with
1579 the permission of the department. The provisions of this section shall
1580 not apply to the delivery to a permittee under this chapter of alcoholic
1581 liquor which is legally authorized. The provisions of this section shall

1582 not apply to the shipment into this state of ethyl alcohol intended for
1583 use or used for scientific, mechanical and industrial uses, for use in
1584 hospitals and public institutions, for medicinal purposes in the
1585 manufacture of patented, proprietary, medicinal, pharmaceutical,
1586 antiseptic, toilet, scientific, chemical, mechanical and industrial
1587 preparations or products not sold as a beverage for human
1588 consumption, nor to the shipment of wine to be used in the
1589 manufacture of patented, proprietary or pharmaceutical preparations
1590 or products or in the manufacture of fruit preserves. No such shipment
1591 shall be made except with the approval of the department and only in
1592 such manner as the department prescribes. The department shall
1593 notify the Commissioner of Revenue Services of the approval of any
1594 such shipment.

1595 Sec. 54. (NEW) (a) A transit permit shall allow the sale, dispensing,
1596 or consumption of alcoholic liquor by passengers, with or without
1597 food, upon any airline, railroad, or a designated boat. The annual fee
1598 for a transit permit shall be the permitted use fee for Group 3, Type A.

1599 (b) A transit permit issued to an airline shall allow such permittee to
1600 purchase from a holder of a wholesaler permit alcoholic liquor as is
1601 permitted to be sold by a holder of a package store permit and in
1602 addition alcoholic liquor in miniatures of one and six-tenths and two
1603 and zero-tenths ounces or of forty-six and eight-tenths and ninety-
1604 three and seven-tenths milliliters and shall permit the sale or
1605 dispensing or consumption of alcoholic liquor to airline passengers
1606 only and while in actual transit on any aircraft being operated on
1607 regularly scheduled flights by such airline.

1608 Sec. 55. Section 30-91 of the general statutes, as amended by section
1609 3 of public act 99-159, is repealed and the following is substituted in
1610 lieu thereof:

1611 (a) The sale or the dispensing or consumption or the presence in
1612 glasses or other receptacles suitable to permit the consumption of

1613 alcoholic liquor by an individual in places operating under hotel
1614 permits, restaurant permits, cafe permits, [restaurant permits for
1615 catering establishments, bowling establishment permits, racquetball
1616 facility] recreational facility permits for alcoholic liquor, recreational
1617 facility permits for beer and wine, club permits, coliseum permits,
1618 [coliseum concession permits,] special sporting facility [restaurant]
1619 permits, [special sporting facility employee recreational permits,
1620 special sporting facility guest permits, special sporting facility
1621 concession permits, special sporting facility bar permits,] golf country
1622 club permits, nonprofit public museum permits, university permits,
1623 airport [restaurant] permits, [airport bar permits, airport airline club
1624 permits,] tavern permits, a manufacturer permit for a brew pub, transit
1625 permits, casino permits and charitable organization permits shall be
1626 unlawful on:

1627 (1) Monday, Tuesday, Wednesday, Thursday and Friday between
1628 the hours of one o'clock a.m. and nine o'clock a.m.;

1629 (2) Saturday between the hours of two o'clock a.m. and nine o'clock
1630 a.m.;

1631 (3) Sunday between the hours of two o'clock a.m. and eleven o'clock
1632 a.m.;

1633 (4) Christmas, except for alcoholic liquor that is served [with hot
1634 meals] where food is also available during the hours otherwise
1635 permitted by this section for the day on which Christmas falls; and

1636 (5) January first between the hours of three o'clock a.m. and nine
1637 o'clock a.m., except that on any Sunday that is January first the
1638 prohibitions of this section shall be between the hours of three o'clock
1639 a.m. and eleven o'clock a.m.

1640 (b) Any town may, by vote of a town meeting or by ordinance,
1641 reduce the number of hours during which sales under subsection (a) of

1642 this section, except sales pursuant to an airport [restaurant] permit,
1643 [airport bar permit or airport airline club permit,] shall be permissible.
1644 In all cases when a town, either by vote of a town meeting or by
1645 ordinance, has acted on the sale of alcoholic liquor or the reduction of
1646 the number of hours when such sale is permissible, such action shall
1647 become effective on the first day of the month succeeding such action
1648 and no further action shall be taken until at least one year has elapsed
1649 since the previous action was taken.

1650 (c) Notwithstanding any provisions of subsections (a) and (b) of this
1651 section to the contrary, such sale or dispensing or consumption or
1652 presence in glasses in places operating under a [bowling
1653 establishment] recreational facility permit for alcoholic liquor or a
1654 recreational facility permit for beer and wine shall be unlawful before
1655 two p.m. on any day, except in that portion of [the permit premises] a
1656 bowling establishment which is located in a separate room or rooms
1657 entry to which, from the bowling lane area of the establishment, is by
1658 means of a door or doors which shall remain closed at all times except
1659 to permit entrance and egress to and from the lane area. Any alcoholic
1660 liquor sold or dispensed in a place operating [under] as a bowling
1661 establishment [permit] shall be served in transparent containers such
1662 as, but not limited to, clear plastic or glass. Any town may, by vote of a
1663 town meeting or by ordinance, reduce the number of hours during
1664 which sales under this subsection shall be permissible.

1665 (d) The sale or dispensing of alcoholic liquor in places operating
1666 under package store permits, drug store permits or grocery store beer
1667 permits shall be unlawful on Decoration Day, Independence Day,
1668 Labor Day, Thanksgiving Day, New Year's Day, Sunday or Christmas
1669 or, if Independence Day, Christmas or New Year's Day occurs on a
1670 Sunday, on the Monday next following such day except that such sale
1671 or dispensing shall be lawful on any Independence Day occurring on a
1672 Saturday; and such sale or dispensing of alcoholic liquor in places
1673 operating under package store permits, drug store permits, and

1674 grocery store beer permits shall be unlawful on any other day before
1675 eight o'clock a.m. and after eight o'clock p.m. It shall be unlawful for
1676 the holder of a manufacturing permit for a brew pub to sell beer for
1677 consumption off the premises on the days or hours prohibited by this
1678 subsection. Any town may, by a vote of a town meeting or by
1679 ordinance, reduce the number of hours during which such sale shall be
1680 permissible.

1681 (e) (1) In the case of any premises operating under a tavern permit,
1682 premises operating under a manufacturer permit for a brew pub, or
1683 premises operating under a cafe permit, wherein, under the provisions
1684 of this section, the sale of alcoholic liquor is forbidden on certain days
1685 or hours of the day, or during the period when a tavern permit,
1686 manufacturer permit for a brew pub, or cafe permit is suspended, it
1687 shall likewise be unlawful to keep such premises open to, or permit it
1688 to be occupied by, the public on such days or hours.

1689 (2) For a period of one year after October 1, 1999, the provisions of
1690 this subsection shall not apply to any premises operating under a
1691 manufacturer permit for a brew pub in which class III gaming, as
1692 defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC
1693 2701, et seq., may be legally conducted.

1694 (f) The retail sale of wine and the tasting of free samples of wine by
1695 visitors and prospective retail customers of a permittee holding a
1696 manufacturer permit for a farm winery on the premises of such
1697 permittee shall be unlawful on Sunday before eleven o'clock a.m. and
1698 after eight o'clock p.m. and on any other day before ten o'clock a.m.
1699 and after eight o'clock p.m. Any town may, by vote of a town meeting
1700 or by ordinance, reduce the number of hours during which sales and
1701 the tasting of free samples of wine under this subsection shall be
1702 permissible.

1703 (g) Notwithstanding any provision of subsection (a) to the contrary,
1704 food or nonalcoholic beverages may be sold, dispensed or consumed

1705 in places operating under an airport [restaurant] permit, [an airport
1706 bar permit or an airport airline club permit,] at any time, as allowed by
1707 agreement between the state of Connecticut and its lessees or
1708 concessionaires.

1709 (h) The sale or the dispensing or consumption or the presence in
1710 glasses or other receptacles suitable to permit the consumption of
1711 alcoholic liquor by an individual in places operating under a nonprofit
1712 golf tournament permit shall be unlawful on any day prior to eleven
1713 o'clock a.m. and after nine o'clock p.m.

1714 (i) The tasting of free samples of beer by visitors of a permittee
1715 holding a manufacturing permit for beer on the premises of such
1716 permittee shall be unlawful on Sunday before eleven o'clock a.m. and
1717 after eight o'clock p.m. and on any other day before ten o'clock a.m.
1718 and after eight o'clock p.m. Nothing in this section shall be construed
1719 to limit the right of a holder of such permit to conduct manufacturing
1720 operations at any time. Any town may, by vote of a town meeting or
1721 ordinance, reduce the number of hours during which the tasting and
1722 free samples of beer under this subsection shall be permissible.

1723 (j) Nothing in this section shall be construed to require any
1724 permittee to continue the sale or dispensing of alcoholic liquor until
1725 the closing hour established under this section.

1726 Sec. 56. Section 1 of public act 99-159 is repealed and the following is
1727 substituted in lieu thereof:

1728 A caterer liquor permit shall allow a person regularly engaged in
1729 the business of providing food and beverages to others for service at
1730 private gatherings or at special events to sell and serve alcoholic liquor
1731 for on-premises consumption at any activity, event or function for
1732 which such person has been hired. The annual fee for a caterer liquor
1733 permit [shall be three hundred fifty dollars] is the permitted use fee for
1734 Group 3, Type A.

1735 Sec. 57. Section 2 of public act 99-159 is repealed and the following is
1736 substituted in lieu thereof:

1737 (a) The holder of a caterer liquor permit shall, on a written or
1738 electronic form prescribed by the [Department of Consumer Protection
1739 or electronically] department, notify the department [, in writing,] of
1740 the date, location and hours of each event at which alcohol is served
1741 under such permit at least one business day in advance of such event.
1742 If the holder of a caterer liquor permit is unable to provide the written
1743 or electronic notice required under this section due to exigent
1744 circumstances, such holder may provide notice to the department by
1745 telephone of the date, location and hours of each event at which
1746 alcohol is served under such permit.

1747 (b) Notwithstanding the provisions of subsection (a) of section 30-48
1748 of the general statutes, a backer or holder of a caterer liquor permit
1749 may be a backer or holder of any other permit issued under the
1750 provisions of this chapter except a manufacturer permit issued under
1751 section 30-16 of the general statutes or a wholesaler permit issued
1752 under section 30-17 of the general statutes.

1753 (c) The holder of a caterer liquor permit and any other permit issued
1754 under the provisions of this chapter that prohibits the off-premises
1755 consumption of alcoholic liquor shall be exempt from such prohibition
1756 for the purposes of conducting such holder's catering business only.

1757 Sec. 58. (NEW) (a) For purposes of this section: (1) "Casino" means
1758 those premises upon which a gaming facility, with other facilities, such
1759 as, but not limited to, restaurants, hotels, night clubs, bingo halls or
1760 convention centers, is operated; and (2) "gaming facility" means the
1761 premises within which Class III gaming, as defined in the Indian
1762 Gaming Regulatory Act, P.L. 100-497, 25 USC 2701, et seq., may be
1763 legally conducted.

1764 (b) A casino permit shall allow (1) the retail sale of alcoholic liquor

1765 to be consumed on the premises of a casino, (2) the manufacture,
1766 storage and bottling of beer to be consumed on the premises with or
1767 without the sale of food, provided that the holder of a casino permit
1768 produces at least five thousand gallons of beer on the premises
1769 annually, and (3) the retail sale of alcoholic liquor by means of a guest
1770 bar located in hotel guest rooms provided such guest bar shall: (A) Be
1771 accessible only by key, magnetic card or similar device provided by the
1772 hotel to a registered guest twenty-one years of age or older; and (B) be
1773 restocked no earlier than nine o'clock a.m. and no later than one
1774 o'clock a.m. The fee for a guest bar under this subsection is the same as
1775 that prescribed in section 30-37i of the general statutes.

1776 (c) The annual fee for a casino permit is the permitted use fee for
1777 Group 3, Type A.

1778 Sec. 59. Subsection (g) of section 20-427 of the general statutes is
1779 repealed and the following is substituted in lieu thereof:

1780 [(g) A certificate shall not be restored unless it is renewed not later
1781 than one year after its expiration.]

1782 (g) The renewal fee for a certificate of registration as a home
1783 improvement contractor acting solely as the contractor of record for a
1784 corporation, shall be waived, if such contractor uses such registration
1785 for the sole purpose of directing, supervising or performing home
1786 improvements for such corporation.

1787 Sec. 60. Subdivision (8) of section 20-500 of the general statutes is
1788 repealed and the following is substituted in lieu thereof:

1789 (8) "Person" means any individual, [, partnership, association,
1790 limited liability company or corporation.]

1791 Sec. 61. Section 20-501 of the general statutes is repealed and the
1792 following is substituted in lieu thereof:

1793 [(a)] No person shall act as a real estate appraiser or provisional
1794 appraiser or engage in the real estate appraisal business without the
1795 appropriate certification, license, tenured license or provisional license
1796 issued by the commission, unless exempted by the provisions of
1797 sections 20-500 to 20-528, inclusive, as amended by this act.

1798 [(b) Partnerships, associations or corporations may be granted a
1799 certification or license to engage in the real estate appraisal business
1800 provided every member or officer of such partnership, association or
1801 corporation who actively participates in its real estate appraisal
1802 business is a certified or licensed appraiser.]

1803 Sec. 62. Subsection (b) of section 20-509 of the general statutes is
1804 repealed and the following is substituted in lieu thereof:

1805 (b) Each application for a certification, license, tenured license or
1806 provisional license under said sections, or for a renewal thereof, shall
1807 be made in writing, on such forms and in such manner as is prescribed
1808 by the Department of Consumer Protection and accompanied by such
1809 evidence in support of such application as is prescribed by the
1810 commission. The commission may require such information with
1811 regard to an applicant as the commission deems desirable, with due
1812 regard to the paramount interests of the public, as to the honesty,
1813 truthfulness, integrity and competency of the applicant. [and, where
1814 the applicant is a corporation, association or partnership, as to the
1815 honesty, truthfulness, integrity and competency of the officers of such
1816 corporation or the members of such association or partnership.]

1817 Sec. 63. Section 20-511 of the general statutes is repealed and the
1818 following is substituted in lieu thereof:

1819 (a) In order to obtain a certification, license, tenured license or
1820 provisional license, persons who have met, to the satisfaction of the
1821 commission, the minimum requirements established by the
1822 commission for such certification, license, tenured license or

1823 provisional license, shall pay to the commission, in addition to the
1824 application fee described in subsection (c) of section 20-509, an initial
1825 fee of: Four hundred fifty dollars, in the case of certified appraisers;
1826 two hundred twenty-five dollars, in the case of licensed appraisers and
1827 tenured licensed appraisers; and fifty dollars, in the case of provisional
1828 appraisers.

1829 (b) All certifications, licenses, tenured licenses and provisional
1830 licenses issued under the provisions of sections 20-500 to 20-528,
1831 inclusive, as amended by this act, shall expire [on the thirtieth day of
1832 April each year] annually and be subject to renewal. The renewal fee
1833 for certifications, licenses, tenured licenses and provisional licenses, to
1834 be paid to the commission, shall be: Three hundred dollars in the case
1835 of certified appraisers; two hundred twenty-five dollars in the case of
1836 licensed and tenured licensed appraisers; and fifty dollars, in the case
1837 of provisional appraisers.

1838 (c) In order for the commission to comply with federal law and
1839 transmit a roster of real estate appraisers to the appropriate federal
1840 regulatory entity, real estate appraisers shall pay to the Commissioner
1841 of Consumer Protection, in addition to application and recordation
1842 fees, an annual registry fee established by the commission.

1843 (d) Any certification, license, tenured license or provisional license
1844 which expires pursuant to this subsection may be reinstated by the
1845 commission, if, not later than two years after the date of expiration, the
1846 former certification holder, licensee, tenured licensee or provisional
1847 licensee pays to the commission for each certification the sum of three
1848 hundred dollars, for each license or tenured license the sum of two
1849 hundred twenty-five dollars and for each provisional license the sum
1850 of fifty dollars for each year or fraction thereof from the date of
1851 expiration of the previous certification, license, tenured license or
1852 provisional license to the date of payment for reinstatement, except
1853 that any certified, licensed, tenured licensed or provisionally licensed

1854 appraiser whose certification, license, tenured license or provisional
1855 license expired after [his] entering military service shall be reinstated
1856 without payment of any fee if an application for reinstatement is filed
1857 with the commission within two years after the date of expiration. Any
1858 such reinstated certification, license, tenured license or provisional
1859 license shall expire [on the next succeeding April thirtieth] annually.
1860 Any such reinstated certification, license, tenured license or
1861 provisional license shall be subject to an annual renewal thereafter.

1862 (e) Any person whose application has been filed as provided in this
1863 section and section 20-509 who is refused a certification, license,
1864 tenured license or provisional license shall be given notice and
1865 afforded an opportunity for hearing as provided in the regulations
1866 adopted by the Commissioner of Consumer Protection.

1867 Sec. 64. Subsection (b) of section 20-368 of the general statutes, as
1868 amended by section 5 of public act 99-73, is repealed and the following
1869 is substituted in lieu thereof:

1870 (b) The Commissioner of Consumer Protection shall adopt
1871 regulations, in accordance with the provisions of chapter 54,
1872 concerning eligibility for landscape architectural licensing
1873 examinations, appeals of examination grades, reciprocal licensing and
1874 such other matters as [it] the commissioner deems necessary to effect
1875 the purposes of this chapter.

1876 Sec. 65. Subsection (a) of section 20-400 of the general statutes, as
1877 amended by section 4 of public act 99-111, is repealed and the
1878 following is substituted in lieu thereof:

1879 (a) A temporary permit may be issued to a person who has
1880 submitted proof satisfactory to the department that the applicant has
1881 completed a four-year course at an approved high school or has an
1882 equivalent education as determined by the department, upon
1883 application on forms prescribed and furnished by the department,

1884 accompanied by a fee of thirty dollars. A temporary permit shall entitle
1885 the applicant to engage in the fitting or sale of hearing aids for a period
1886 of one year under the direct supervision and training of a person
1887 holding a valid hearing instruments [dispenser's] specialist's license or
1888 a license as an audiologist under chapter 399 or while enrolled in a
1889 course of study approved by the department, except that a person who
1890 holds a temporary permit shall be excluded from making selections of
1891 hearing aids.

1892 Sec. 66. Subdivision (5) of subsection (f) of section 21-70 of the
1893 general statutes is repealed and the following is substituted in lieu
1894 thereof:

1895 (5) In any case in which a mobile manufactured home park with two
1896 hundred or more units in which a majority of residents have been
1897 given written notice, prior to June 10, 1999, of the intended
1898 discontinuance of the use of the land as a mobile manufactured home
1899 park, regardless [if] of whether one or more of such notices or the
1900 service of such notices is subsequently deemed invalid or ineffective,
1901 (A) any subsequent notice of such intended discontinuance that is
1902 given or required to be given after June 23, 1999, by the owner
1903 pursuant to this subsection, and (B) any notice given or action taken
1904 pursuant to this subsection after June 23, 1999, by any association
1905 representing twenty-five per cent or more of the units in the park shall
1906 be subject to the time limitations contained in this subsection that were
1907 in effect immediately prior to June 23, 1999.

1908 Sec. 67. Subsections (a) and (b) of section 21-70a of the general
1909 statutes, as amended by sections 2 and 6 of public act 99-201, are
1910 repealed and the following is substituted in lieu thereof:

1911 (a) A mobile manufactured home park resident who owns a mobile
1912 manufactured home and is required to remove the home from the park
1913 because of a change in use of the land on which said mobile
1914 manufactured home is located shall be entitled to receive from the

1915 mobile manufactured home park owner (1) relocation expenses to a
1916 mobile manufactured home park satisfactory to the resident within
1917 one hundred miles of the existing park site up to a maximum of (A)
1918 seven thousand dollars if the notice given pursuant to subdivision (3)
1919 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1)
1920 of subsection (b) of section 21-80 expires before October 1, 2000,
1921 regardless [if] of whether such notice was given before or after June 23,
1922 1999, or (B) subject to the provisions of subsection (b) of this section,
1923 ten thousand dollars if the notice given pursuant to subdivision (3) of
1924 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
1925 subsection (b) of section 21-80 expires on or after October 1, 2000,
1926 regardless [if] of whether such notice was given before or after June 23,
1927 1999, or (2) in the event a satisfactory site is not available onto which
1928 the mobile manufactured home may be relocated, the sum of (A) seven
1929 thousand dollars if the notice given pursuant to subdivision (3) of
1930 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
1931 subsection (b) of section 21-80 expires before October 1, 2000,
1932 regardless [if] of whether such notice was given before or after June 23,
1933 1999, or (B) subject to the provisions of subsection (b) of this section,
1934 ten thousand dollars if the notice given pursuant to subdivision (3) of
1935 subsection (a) of section 21-80 or subparagraph (E) of subdivision (1) of
1936 subsection (b) of section 21-80 expires on or after October 1, 2000,
1937 regardless [if] of whether such notice was given before or after June 23,
1938 1999.

1939 (b) Notwithstanding the provisions of subsection (a) of this section,
1940 in any case in which a mobile manufactured home park containing two
1941 hundred or more units in which a majority of residents have been
1942 given written notice, prior to June 23, 1999, pursuant to subdivision (3)
1943 of subsection (a) of section 21-80 or subparagraph (E) of subdivision (1)
1944 of subsection (b) of section 21-80, regardless [if] of whether one or
1945 more of such notices or the service of such notices is subsequently
1946 deemed invalid or ineffective, the amount of the relocation or
1947 compensatory payments required to be paid to such resident under the

1948 provisions of this section shall not exceed seven thousand dollars,
1949 regardless [if] of whether a subsequent valid notice or notices are
1950 properly served subsequent to June 23, 1999, and such subsequent
1951 notice or notices expire on or after October 1, 2000.

1952 Sec. 68. Subdivision (3) of subsection (a) of section 21-80 of the
1953 general statutes, as amended by sections 3 and 6 of public act 99-201, is
1954 repealed and the following is substituted in lieu thereof:

1955 (3) A change in use of the land on which such mobile manufactured
1956 home is located, provided all the residents affected are given written
1957 notice (A) at least three hundred sixty-five days before the time
1958 specified in the notice for the resident to quit possession of the mobile
1959 manufactured home or occupancy of the lot if such notice is given
1960 before June 23, 1999, or (B) at least five hundred forty-five days before
1961 the time specified in the notice for the resident to quit possession of the
1962 mobile manufactured home or occupancy of the lot if such notice is
1963 given on or after June 23, 1999, regardless [if] of whether any other
1964 notice under this section or section 21-70 has been given before June
1965 23, 1999; provided nothing in [this act] public act 99-201 shall be
1966 construed to invalidate the effectiveness of or require the reissuance of
1967 any valid notice given before June 23, 1999.

1968 Sec. 69. Subparagraph (E) of subdivision (1) of subsection (b) of
1969 section 21-80 of the general statutes, as amended by sections 4 and 6 of
1970 public act 99-201, is repealed and the following is substituted in lieu
1971 thereof:

1972 (E) A change in the use of the land on which such mobile
1973 manufactured home is located, provided all of the affected residents
1974 receive written notice (i) at least three hundred sixty-five days before
1975 the time specified in the notice for the resident to quit possession of the
1976 mobile manufactured home or occupancy of the lot if such notice is
1977 given before June 23, 1999, or (ii) at least five hundred forty-five days
1978 before the time specified in the notice for the resident to quit

1979 possession of the mobile manufactured home or occupancy of the lot if
1980 such notice is given on or after June 23, 1999, regardless [if] of whether
1981 any other notice under this section or section 21-70 has been given
1982 before June 23, 1999; provided nothing in [this act] public act 99-201
1983 shall be construed to invalidate the effectiveness of or require the
1984 reissuance of any valid notice given before June 23, 1999.

1985 Sec. 70. Subdivision (2) of section 21a-7 of the general statutes, as
1986 amended by section 8 of public act 99-73, is repealed and the following
1987 is substituted in lieu thereof:

1988 (2) Each board or commission may, in its discretion, issue (A) an
1989 appropriate order to any person found to be violating an applicable
1990 statute or regulation providing for the immediate discontinuance of
1991 the violation, (B) an order requiring the violator to make restitution for
1992 any damage caused by the violation, or (C) both. Each board or
1993 commission may, through the Attorney General, petition the superior
1994 court for the [county] judicial district wherein the violation occurred,
1995 or wherein the person committing the violation resides or transacts
1996 business, for the enforcement of any order issued by it and for
1997 appropriate temporary relief or a restraining order and shall certify
1998 and file in the court a transcript of the entire record of the hearing or
1999 hearings, including all testimony upon which such order was made
2000 and the findings and orders made by the board or commission. The
2001 court may grant such relief by injunction or otherwise, including
2002 temporary relief, as it deems equitable and may make and enter a
2003 decree enforcing, modifying and enforcing as so modified, or setting
2004 aside, in whole or in part, any order of a board or commission.

2005 Sec. 71. Section 21a-190k of the general statutes is repealed.

2006 Sec. 72. Sections 30-21b, 30-22b, 30-28, 30-28a, 30-29, 30-30 and 30-
2007 46a of the general statutes are repealed.

2008 Sec. 73. Subsection (b) of section 30-22 of the general statutes is

2009 repealed.

2010 Sec. 74. This act shall take effect July 1, 2000, except that sections 12
2011 to 58, inclusive, and section 73 shall take effect October 1, 2000, and
2012 shall be applicable to licenses issued or renewed on or after October 1,
2013 2000, and sections 59 to 70, inclusive, and section 72 shall take effect
2014 October 1, 2000.

Statement of Legislative Commissioners:

In place of bracketing subsection (b) of section 27, a new repealer section was added as section 73 to repeal subsection (b) of section 27 for consistency within section 30-22 of the general statutes on how subsections are repealed; changes were made throughout for the purpose of gender neutralization; in section 18(c) "fee" was added for accuracy and consistency; in section 45 "a transit permit established under this act" was changed to "section 54 of this act" for consistency in citing references; in section 59, "is" was changed to "shall be" and "shall use" was changed to "uses" in conformity with proper rules of grammar; and in section 17(e) "alcoholic liquor" was added in place of "beer or wine" for accuracy.

GL Committee Vote: Yea 15 Nay 0 JFS C/R FIN

FIN Committee Vote: Yea 41 Nay 0 JFS-LCO

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact: Significant Revenue Loss

Affected Agencies: Department of Consumer Protection

Municipal Impact: Minimal Revenue Loss

Explanation

State Impact:

Liquor Permits

The bill makes a variety of changes in liquor permit fees which will have a net revenue loss of \$1,295,916 in FY 01 and a fully annualized revenue loss of \$1,727,888 in future years.

Permit	Number Issued	Current Fee	Bill's Fee	Difference	FY 01 Revenue Increase/ Decrease	Future Years Revenue Increase/ Decrease
Airline	5	\$ 400	\$ 900	\$ 500	\$ 1,875	\$ 2,500
Airline Club	2	650	900	250	375	500
Airline Bar	5	300	900	600	2,250	3,000
Boat	17	400	900	500	6,375	8,500
Brew Pub	12	240	900	660	5,940	7,920
Caterer	0	350	900	550	-	-
Grocery Beer	957	80	85	5	3,589	4,785
Nonprofit Golf	1	200	240	40	30	40
Nonprofit Museum	6	200	240	40	180	240
Nonprofit Theater	16	200	240	40	480	640
Out-of-state shipper for beer, CT manufacturer or wholesaler	10	45	150	105	788	1,050

Out-of-state shipper for other than beer, CT manufacturer or wholesaler	18	45	150	105	1,418	1,890
Railroad	3	400	900	500	1,125	1,500
Special Outing Facility, beer	0	240	900	660	-	-
University	3	240	900	660	1,485	1,980
Warehouse storage	2	35	150	115	173	230
					-	-
Airport Restaurant	2	1200	900	-300	(450)	(600)
Bowling Establishment	38	2000	900	-1100	(31,350)	(41,800)
Bowling Establishment, beer and wine	2	350	240	-110	(165)	(220)
Café	800	1750	900	-850	(510,000)	(680,000)
Cider and Apple wine	2	160	150	-10	(15)	(20)
Coliseum	6	1000	900	-100	(450)	(600)
Coliseum Concession	4	2000	900	-1100	(3,300)	(4,400)
Druggist*	23	425	318.75	-106.25	(1,833)	(2,444)
Farm Winery	14	240	150	-90	(945)	(1,260)
Golf Country Club	6	800	240	-560	(2,520)	(3,360)
Hotel: towns with populations less than 10,000	24	1200	900	-300	(5,400)	(7,200)
Hotel: towns with populations 10,001 - 50,000	44	1600	900	-700	(23,100)	(30,800)
Hotel: towns with populations over 50,000	32	2400	900	-1500	(36,000)	(48,000)
Manufacturer	2	1600	800	-800	(1,200)	(1,600)
Manufacturer of apple brandy and eau-de-vie	0	320	150	-170	-	-
Military	1	15	0	-15	(11)	(15)
Nonprofit Club	82	650	240	-410	(25,215)	(33,620)
Out-of-state shipper for beer	67	1000	800	-200	(10,050)	(13,400)
Out-of-state shipper for other than beer	181	1000	800	-200	(27,150)	(36,200)
Out-of-state small winery	7	250	150	-100	(525)	(700)
Package store*	1143	425	318.75	-106.25	(91,083)	(121,444)
Racquetball facility	0	2000	900	-1100	-	-
Resort	1	1200	900	-300	(225)	(300)
Restaurant (alcohol)	1435	1200	900	-300	(322,875)	(430,500)
Restraunt, beer and wine	627	560	240	-320	(150,480)	(200,640)

Restraunt, catering	50	1200	900	-300	(11,250)	(15,000)
Special outing facility, alcohol	9	1200	900	-300	(2,025)	(2,700)
Transporter	18	1000	800	-200	(2,700)	(3,600)
University beer and wine	7	560	240	-320	(1,680)	(2,240)
Wharehouse bottling	0	160	150	-10	-	-
Wholesaler	50	2400	800	-1600	(60,000)	(80,000)
TOTAL					\$(1,295,916)	\$(1,727,888)

*Currently those holding package store permits and druggist permits must pay an additional administration expense fee pursuant to CGS 30-66. The fee is 6.25% of the permit fee. Although the bill reduces the permit fee for both druggists and package stores, the bill does not exempt these permittees from the additional permit fee under CGS 30-66.

Transfer of Charitable Solicitation Program

The bill transfers the responsibility for enforcing the Solicitation of Charitable Funds Act from the Department of Consumer Protection (DCP) to the Office of the Attorney General (AG). A corresponding transfer of \$173,613 from DCP to the AG was made in the House version of the budget HBH 5217, "AA Making Adjustments To The State Budget For The Biennium Ending June 30, 2001." No such transfer of funding is included in the Senate version of the budget HBS 5217.

Home Improvement Contractors

The bill waives the registration renewal fee of \$60 for home improvement contractors who act as the contractor of record for a corporation. It is estimated there are 3,000 individuals who are registered as home improvement contractors and are also registered as the contractor of record for a corporation. These individuals are required to pay the fee for home improvement contractor registration.

Under current law these individuals are exempt from paying the application fee to register as a home improvement contractor of record for a corporation. This bill waives the registration renewal fee for home improvement contractors who act as the contractor of record for a corporation, but these individuals will continue to pay the \$60 fee to register as a new home construction contractor. In practice, DCP has not charged any of these individuals to pay an additional fee to register as a contractor of record for a corporation, thus there is no fiscal impact.

Real Estate Appraisers

Additionally, the bill eliminates licensure for businesses as real estate appraisers. It is estimated that three such entities are licensed by the department. The annual licensure renewal fee depends on the certification or license issued and the fees are \$300 for certified appraisers, \$225 for licensed and tenured licensed appraisers, and \$50 for provisional appraisers. It is uncertain what type of licensure each of the three affected entities currently hold, thus it is anticipated the revenue loss will range from \$150 - \$900.

Municipal Impact:

The bill eliminates the \$2 fee paid by liquor permittees to town clerks for filing a duplicate copy of each permit in the respective municipalities. It is estimated that the 5,734 liquor permits are issued, thus eliminating the \$2 filing fee will result in a \$11,468 (5,734 x \$2) municipal revenue loss.

OLR Bill Analysis

sHB 5851

AN ACT CONCERNING THE SOLICITATION OF CHARITABLE FUNDS ACT, THE STATE LIQUOR CONTROL ACT, HOME IMPROVEMENT CONTRACTORS, REAL ESTATE APPRAISERS, AND TECHNICAL REVISIONS TO STATUTES WITHIN TITLES 20, 21 AND 21A OF THE GENERAL STATUTES.**SUMMARY:**

This bill (1) reduces the number of liquor permits issued by the Department of Consumer Protection (DCP), groups liquor permits based on the type of business, changes permit fees, creates a casino permit fee, and makes miscellaneous changes to the liquor laws; (2) transfers regulatory responsibility for charities from DCP to the Office of the Attorney General; (3) revises real estate appraiser licensing law; (4) eliminates a home improvement contractor fee; and (5) makes several technical changes.

EFFECTIVE DATE: October 1, 2000, but the transfer of charitable organization regulation takes effect on July 1, 2000.

LIQUOR PERMIT ORGANIZATION

The bill divides liquor permits by "groups" and "types" for purposes of setting fees and revising the law concerning ownership of more than one kind of liquor-selling establishment. It places (1) manufacturers and wholesalers in the first group, (2) retailers who sell for off-premises consumption in the second, and (3) retailers who sell for on-premises consumption in the third.

The bill allows DCP to issue permits according to permitted uses rather than by permit classes. It defines "Permitted Use" as the designated business use for which a permit is specified and granted by DCP. A permitted use exists for each type of permit within a group.

The bill requires permit applicants to state the permitted use of a permit they seek. An applicant for a permit allowing on-premises

consumption may ask for a change in the permitted use of an existing on-premises permit by filing an amended application. If DCP approves, the amended permit will continue in effect until the original expiration date without requiring the applicant to pay an additional fee.

The bill states that existing permits remain in effect until the permittee's first renewal after October 1, 2000. At that time, applicants must seek a permit based on the bill's groups, types, and permitted uses. The bill requires the DCP commissioner to give enough notice of permit reclassification to current permit holders. The commissioner determines the form and manner of the notice, but it must at least include the permit group and type and the renewal fee.

LIQUOR PERMIT GROUPS

Group 1, Type A applies to businesses that manufacture, sell at wholesale, or transport beer or other types alcoholic liquor, or are nonresident out-of-state shippers. The annual permit fee is \$800.

Group 1, Type B applies to businesses that manufacture, ship, distribute, store, or bottle wine, apple brandy, or cider, or are resident out-of-state shippers. The annual permit fee is \$150.

Group 2, Type A applies to retailers who sell alcoholic liquor (spirits, cordials, beer, and wine) for off-premises consumption. The annual permit fee is \$300.

Group 2, Type B applies to retailers who sell beer for off-premises consumption. The annual permit fee is \$85.

Group 3, Type A applies to retailers who sell alcoholic liquor for on-premises consumption, with or without food. The annual permit fee is \$900.

Group 3, Type B applies to retailers who sell only beer or wine for on-premises consumption, with or without food. The annual permit fee is \$240.

Group 3, Type C applies to facilities operated by nonprofit

organizations that sell alcoholic liquor for on-premises consumption, with or without food. The annual permit fee is \$240.

OWNERSHIP OF MORE THAN ONE KIND OF LIQUOR SELLING ESTABLISHMENT

Current law prohibits an owner (“backer”) or permit holder of one kind of permit from being the owner or permit holder of another and creates numerous exceptions. The bill, instead, provides that the backer or holder of one permitted use cannot be the backer or holder of any other with the following exceptions. A backer of any on-premises retail establishment may be the backer of another. A backer of a manufacturer permit for alcoholic liquor may be the backer of a manufacturer permit for beer. A backer of a wholesaler permit may be the backer of a manufacturer permit for beer.

The exemptions the bill eliminates, with one exception, allow one type of on-premises retailer to own or be the permittee of another. The bill does not change the other one, which allows a backer of a grocery store beer permit to be a backer of a package store permit, if this was the case on or before May 1, 1996.

The bill eliminates the explicit ability of an individual to be the permittee of more than one establishment.

ELIMINATED LIQUOR PERMITS

The bill eliminates four retail permits that allow their holders to sell beer: university permit for beer, restaurant permit for beer, hotel permit for beer, and special outing facility permit for beer. It also eliminates the broker’s permit and the resort permit.

Eliminated Beer Permits

The university permit for beer allows the retail sale of beer for on-premises consumption on the grounds of an accredited institution of higher learning. The annual fee is \$240. The bill does not alter the university permits for beer and wine and for alcoholic liquor.

The restaurant and hotel permits for beer allow the sale for on-

premises consumption of beer and cider up to 6% alcohol. The annual fees are \$240. The bill does not alter the restaurant permits for beer and wine and for alcoholic liquor.

The special outing facility beer permit allows the sale of beer for on-premises consumption to patrons of the special outing facility. The bill does not alter the special outing facility permit for alcoholic liquor. A “special outing facility” is a place of at least 20 acres with an enclosed roofed pavilion built to seat at least 250 people that is used for corporate and private parties and other events.

Broker’s Permit

The broker’s permit, which the bill eliminates, allows its holder to sell warehouse receipts, certificates or other documents relating to liquor to permittees with DCP approval of the transactions. The annual fee is \$160.

Resort Permit

The resort permit, which the bill eliminates, defines “resort” as the premises on which a hotel with other facilities, such as a golf course or ski trails, is operated on a seasonal basis. The permit fee is \$1,200.

COMBINED LIQUOR PERMITS

The bill combines (1) railroad, airline, and boat permits into a transit permit; (2) bowling establishment and racquetball permits into a recreational permit; (3) manufacturing permits for apple brandy, eau-de-vie, and cider; (4) restaurant and restaurant for a catering establishment; (5) coliseum and coliseum concession permits; (6) five permits relating to places in which licensed pari-mutuel betting is conducted; (7) three permits for establishments in the Bradley Airport terminal; and (8) warehouse bottling and warehouse storage permits.

Transit Permit

The bill combines the railroad, airline, and boat permits into a transit permit. In doing so, it makes some substantive changes. Current law

exempts railroad permit holders from the law allowing towns to ban the sale of alcohol within their borders. The bill extends this exemption to include businesses currently holding airline and boat permits. Current law allows corporations, but not individuals, to hold a railroad or an airline permit. The bill allows corporations, but not individuals, to hold a transit permit. The effect is to prohibit DCP from issuing a transit permit to an individual to operate a boat-based liquor-selling establishment. Current law requires every permittee, except airline and railroad permittees, to hang a copy of his permit in plain view. The bill extends this exception to include those currently holding a boat permit.

Recreational Permit

The bill combines bowling and racquetball facility permits into the recreational permit. The bill eliminates the requirement that the racquetball facility have at least five courts, but it does not eliminate the requirement that a bowling establishment have at least 10 lanes.

The bill also creates a recreational permit for beer and wine (see COMMENT). Under current law, a bowling establishment, but not a racquetball facility, can obtain a permit to sell only beer. Neither can obtain a permit to sell beer and wine.

Manufacturer Permit for Apple Brandy, Eau-de-Vie, and Cider

The bill combines these three manufacturing permits. Current law allows all manufacturers, except cider manufacturers, to apply for and receive a wholesaler permit. The bill instead allows all manufacturers, except holders of this combined permit, to apply for and receive a wholesaler permit. The effect is to remove the ability of a current holder of an apple brandy or eau-de-vie manufacturer permit to apply for and receive a wholesaler permit. This means that he could sell his own products at wholesale but not those of other manufacturers.

Restaurant and Restaurant for Catering Establishment

The bill combines restaurant and catering establishment permits. In doing so, it eliminates the requirement that restaurants regularly serve hot meals. It also eliminates the restrictions that a catering

establishment serve only (1) at a function held on its premises, (2) to invited persons and (3) during the hours of the function. It also eliminates the prohibition against an organization eligible for a club or nonprofit club permit receiving a catering establishment permit. Current law defines “catering establishment” as a premises that regularly furnishes for hire one or more ballrooms, reception rooms, or similar places for particular functions.

Coliseum and Coliseum Concession Permit

The bill combines coliseum and coliseum concession permits and makes one substantive change concerning these permit holders. It allows them to sell beverages in any kind of container other than glass. Current law requires them to sell beverages in paper cups.

In addition, the bill eliminates the provision stating that the existence of a coliseum or coliseum concession permit, or both, does not prohibit DCP from issuing a restaurant permit for a restaurant within the coliseum.

Pari-Mutuel Betting Establishments

Current law establishes five different permits for racing establishments and jai alai frontons (“special sporting facilities”) where licensed pari-mutuel betting is conducted. The bill eliminates separate permits for places within those businesses in which: employees eat and sleep, invited guests may consume beverages, only beer and wine may be sold, and separate bars. Under the bill, the permit authorizes the sale of alcoholic liquor at any location within the facility. It eliminates DCP’s discretionary authority over the number and location of places where liquor may be sold within the facilities. It also eliminates the requirement that a facility have a restaurant to obtain a liquor permit.

Bradley Airport Permits

The bill combines three permits issued to businesses operating in Bradley International Airport: airport restaurant, airport bar, and airline club. It eliminates the requirement that businesses currently holding an airport restaurant permit have a restaurant to obtain a permit. It also eliminates the restriction on airline clubs that they only

serve club members and their guests.

Warehouse Permit

The bill eliminates the distinction between the warehouse bottling and warehouse storage permits. Current law allows a holder of a warehouse bottling permit to store and bottle alcoholic liquor and allows a holder of a storage permit to store it.

LIQUOR PERMIT FEE CHANGES

The bill increases fees for 16 permits and reduces fees for 22. Table 1 displays the fee increases.

Table1: Permit Fee Increases

Permit	Current Fee	Bill's Fee	Increase
Airline (Transit)	\$400	\$900	\$500
Airline club	650	900	250
Airport bar	300	900	600
Boat (Transit)	400	900	500
Brew Pub	240	900	660
Caterer	350	900	550
Grocery beer	80	85	5
Nonprofit golf	200	240	40
Nonprofit museum	200	240	40
Nonprofit theater	200	240	40
Out-of-state shipper for beer, Conn. manufacturer or wholesaler	45	150	105
Out-of-state shipper for other than beer, Conn. Manufacturer or wholesaler	45	150	105
Railroad (Transit)	400	900	500
Special Outing Facility, beer	240	900	660
University	240	900	660
Warehouse storage	35	150	115

Table 2 displays fee reductions.

Table 2: Permit Fee Reductions

Permit	Current Fee	Bill's Fee	Reductions
Airport Restaurant	\$1,200	\$900	\$300
Bowling establishment (Recreational)	2,000	900	1,100
Bowling establishment, beer and wine	350	240	110
Café	1,750	900	850
Cider and Apple wine	160	150	10
Coliseum	1,000	900	100
Coliseum concession	2,000	900	1,100
Druggist	400	300	100
Farm winery	240	150	90
Golf country club	800	240	560
Hotel	Scale based on town population	900	At least 300
Manufacturer (Manufacturer)	1,600	800	800
Manufacturer of apple brandy and eau-de-vie	320	150	170
Military	15	0	15
Nonprofit club	650	240	410
Out-of-state shipper for beer	1,000	800	200
Out-of-state shipper for other than beer	1,000	800	200
Out-of-state small winery	250	150	100
Package store	400	300	100
Racquetball facility (Recreational)	2,000	900	1,100
Resort (Recreational)	1,200	900	300
Restaurant (alcohol)	1,200	900	300
Restaurant, beer and wine	560	240	320
Restaurant, Catering	1,200	900	300
Special outing facility, alcohol	1,200	900	300
Transporter	1,000	800	200

University beer and wine	560	240	320
Warehouse bottling	160	150	10
Wholesaler	2,400	800	1,600

Special Sporting Facilities

The bill combines five special sporting facility liquor permits (the type held by jai alai frontons and race tracks with legalized gambling). As a result, the bill reduces the annual permit costs for such a facility with one location of each kind of permit from \$2,200 to \$900. The amount of the reduction depends on the number of currently permitted locations within facilities.

Bradley Airport

The bill combines three Bradley Airport permits and requires each location to be approved. The result is to reduce the permit cost for a restaurant from \$1,200 to \$900 and to increase the permit cost for a bar from \$300 to \$900 and for an airline club from \$650 to \$900.

CASINO PERMIT

The bill creates a liquor permit for gaming facilities in which class III gaming is conducted, such as a casino or jai alai fronton. The permit applies to the premises in which gaming is conducted and to related facilities, such as restaurants, hotels, nightclubs, bingo halls, or convention centers.

The permit allows the (1) retail sale for on-premises consumption, (2) manufacture, storage, and bottling of beer for on-premises consumption if the casino produces at least 5,000 gallons of beer annually on the premises, and (3) retail sale from guest bars located in hotel guest rooms. Such guest bars must (1) be accessible only by key, magnetic card, or similar device given to a registered guest at least 21 years old by the hotel and (2) not be restocked between the hours of 1:00 a.m. and 9:00 a.m.

The annual casino permit fee is \$900 plus \$50 for each hotel room guest bar.

MISCELLANEOUS LIQUOR LAW CHANGES

Concession Permit

The bill eliminates the ability of a concession permit holder to sell alcohol and spirits in an enclosed nonseating area within an indoor-outdoor amphitheater. This means that a concession permit holder may sell only beer and wine under the bill. The law allows a concession permit holder to sell beer and wine for on-premises consumption at a fairgrounds, ball park, amusement park, indoor-outdoor amphitheater, outdoor amphitheater contiguous to an amusement park, public golf course, or sports arena. The bill also eliminates concession permits that last six months (costing \$160) and one day (costing \$25).

Military Registration

The bill requires military camps or installations to register. Current law requires military camps and installations to obtain an annual permit and pay a \$15 fee. Under the bill, registration is free and does not expire. The bill requires an applicant for a military registration to file a sworn application in the form and manner required by DCP.

Eliminated Town Clerk Filing Fee and Transit Permit Filing

The law requires permittees to file a copy of their permit with the local town clerk before it takes effect. The bill eliminates the \$2 fee paid to town clerks for filing. Current law requires railroad and boat permit holders to file with the New Haven town clerk and airline permit holders to file with the Hartford town clerk. The bill exempts transit permit holders from the filing requirement.

Caterer Permit

The bill authorizes DCP to prescribe the electronic form of the notice used by a caterer permittee to inform the department of the day, time, and location of a catered event. Further, the bill makes the provision requiring telephone notice of an upcoming event apply if the caterer could not provide either written or electronic notice. Current law

requires a caterer to call DCP and provide notice of an upcoming event if the caterer is unable to provide written notice.

HOURS AND DAYS OF SALE

The bill sets the same permissible hours of sale for premises operating under a casino permit as for restaurants, cafes, and similar establishments. These are: Monday through Thursday from 9:00 a.m. to 1:00 a.m. that night, on Friday and Saturday from 9:00 a.m. to 2:00 a.m. that night, and on Sunday from 11:00 a.m. to 1:00 that night. These establishments may stay open to 3:00 a.m. on New Year's Day.

The bill also restricts transit permit holders to these same permissible hours of sale. Current law does not restrict when holders of an airline, railroad, or boat permit may sell liquor.

The law prohibits selling liquor on Christmas unless hot meals are also served. The bill, instead, prohibits selling liquor on Christmas unless food is available.

Under current law, a racquetball facility may sell liquor beginning at 9:00 a.m. Monday through Saturday and at 11:00 on Sunday. The bill prohibits a racquetball facility from selling before 2:00 p.m. on any day.

REGULATION OF CHARITABLE ORGANIZATIONS

The bill transfers the responsibility for enforcing the Solicitation of Charitable Funds Act from DCP to the Office of the Attorney General (see BACKGROUND).

It eliminates DCP's authority to adopt implementing regulations but does not grant this authority to the attorney general.

REAL ESTATE APPRAISAL

The bill eliminates licensure for businesses as real estate appraisers. The law continues to require individuals who act as real estate appraisers or engage in that business to obtain a license from DCP. As part of eliminating licensure for real estate businesses, the bill

redefines “person” for purposes of the real estate appraiser law by eliminating references to partnerships, associations, limited liability corporations, and corporations. Under the bill, a “person” is an individual.

The bill eliminates references to licensure of real estate appraisal businesses, including (1) the requirement that every member or officer of a partnership, association, or corporation be licensed as a real estate appraiser for the business to be licensed and (2) the power of the real estate commission to require business real estate appraiser applicants to submit information concerning the honesty, truthfulness, integrity, and competency of the officers of the corporation or members of the association or partnership.

In addition, the bill eliminates the statutory renewal date (April 30) for real estate appraisers. The law requires the DCP commissioner to adopt regulations establishing a staggered annual renewal schedule for all credentials the department issues.

HOME IMPROVEMENT CONTRACTOR REGISTRATION

The law requires home improvement contractors and corporations acting as home improvement contractors to register annually with DCP. The bill waives the registration renewal fee for a contractor who acts solely as the contractor of record for a corporation if he uses his registration solely to direct, supervise, or perform home improvements for the corporation.

In addition, the bill eliminates the prohibition against restoring a contractor’s registration unless he renews it within one year of its renewal date.

BACKGROUND

Solicitation of Charitable Funds Act

Currently, DCP and the Office of the Attorney General operate the Public Charities Unit jointly. The unit administers the act.

The act generally requires charities receiving contributions of at least

\$25,000 to register and submit financial reports. If the charity receives over \$100,000, these reports must include an audit report prepared by a certified public accountant. The act establishes standards for the contracts between charities and their paid solicitors, fund raising counsels, and commercial coventurers.

The act prohibits a charity from (1) engaging in a financial transaction unrelated to its purpose or that interferes with accomplishing its purpose, (2) spending an unreasonable amount soliciting or managing itself, (3) using another charity's name or a name that is confusingly similar, (4) representing that it is associated with another charity unless it has obtained that charity's express written acknowledgement and endorsement, and (5) using an unregistered fundraising counsel or unregistered paid solicitor.

The act also prohibits anyone from (1) misrepresenting the purpose or beneficiary of a solicitation; (2) misrepresenting the purpose of a charity; (3) representing that the fact that a charity is registered constitutes endorsement of the charity by the state; (4) misrepresenting that a solicitation is sponsored by someone; (5) using the name, logo, or printed matter of a charity without its express, written permission; (6) making a false or misleading statement on a report required by the Act; and (7) failing to comply with the act. Finally, it prohibits a fundraising counsel or a paid solicitor from working for an unregistered charity.

Related Bill

HB 5593 (File 219) changes reporting requirements for charitable organizations.

COMMENT

Recreational Permit for Beer and Wine

The "recreational permit for beer and wine" does not authorize its holder to sell wine.

COMMITTEE ACTION

General Law Committee

Joint Favorable Change of Reference
Yea 15 Nay 0

Finance, Revenue and Bonding Committee

Joint Favorable Report
Yea 41 Nay 0