



General Assembly

**Substitute Bill No. 374**

*February Session, 2000*

***An Act Increasing Penalties For Violations Involving Underage Drinking And Making Other Changes To The Liquor Control Act.***

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

1 Section 1. Section 30-89 of the general statutes is repealed and the  
2 following is substituted in lieu thereof:

3 (a) Any person to whom the sale of alcoholic liquor is by law  
4 forbidden who purchases or attempts to purchase such liquor or who  
5 makes any false statement for the purpose of procuring such liquor  
6 shall be fined not less than two hundred nor more than five hundred  
7 dollars and be required to perform community service, as defined in  
8 section 14-227e.

9 (b) Any minor who possesses any alcoholic liquor on any street or  
10 highway or in any public place or place open to the public, including  
11 any club which is open to the public, shall be fined not less than two  
12 hundred nor more than five hundred dollars. The provisions of this  
13 subsection shall not apply to (1) a person over age eighteen who is an  
14 employee or permit holder under section 30-90a and who possesses  
15 alcoholic liquor in the course of [his] employment or business, (2) a  
16 minor who possesses alcoholic liquor on the order of a practicing  
17 physician, or (3) a minor who possesses alcoholic liquor while  
18 accompanied by a parent, guardian or spouse, who has attained the  
19 age of twenty-one.

20 Sec. 2. Section 30-113 of the general statutes is repealed and the  
21 following is substituted in lieu thereof:

22 Any person convicted of a violation of any provision of this chapter  
23 for which a specified penalty is not imposed, shall, for each offense, be  
24 fined not more than [one] two thousand dollars or imprisoned not  
25 more than [one year] two years or both.

26 Sec. 3. Section 30-86 of the general statutes, as amended by section 1  
27 of public act 99-237, is repealed and the following is substituted in lieu  
28 thereof:

29 Any permittee or any servant or agent of a permittee who sells or  
30 delivers alcoholic liquor to any minor, or to any intoxicated person, or  
31 to any habitual drunkard, knowing the person to be such an habitual  
32 drunkard, shall be subject to the penalties of section 30-113, as  
33 amended by this act, and may be required by the Department of  
34 Consumer Protection to attend a liquor server training course  
35 approved by the department at the expense of such permittee, servant  
36 or agent. Any person who sells, ships, delivers or gives any such  
37 liquors to such minor, by any means, including, but not limited to, the  
38 Internet or any other on-line computer network, except on the order of  
39 a practicing physician, shall be fined not more than one thousand five  
40 hundred dollars or imprisoned not more than eighteen months, or  
41 both. The provisions of this section shall not apply (1) to a sale,  
42 shipment or delivery made to a person over age eighteen who is an  
43 employee or permit holder under section 30-90a and where such sale,  
44 shipment or delivery is made in the course of such person's  
45 employment or business, (2) to a sale, shipment or delivery made in  
46 good faith to a minor who practices any deceit in the procurement of  
47 an identity card issued in accordance with the provisions of section  
48 1-1h, who uses or exhibits any such identity card belonging to any  
49 other person or who uses or exhibits any such identity card that has  
50 been altered or tampered with in any way, or (3) to a shipment or  
51 delivery made to a minor by a parent, guardian or spouse of the minor,  
52 provided such parent, guardian or spouse has attained the age of

53 twenty-one and provided such minor possesses such alcoholic liquor  
54 while accompanied by such parent, guardian or spouse.

55 Sec. 4. Section 2 of public act 99-159 is amended by adding  
56 subsection (d) as follows:

57 (NEW) (d) The holder of a caterer liquor permit shall be exempt  
58 from the provisions of sections 30-38, 30-52 and 30-54 and from the  
59 requirements to affix and maintain a placard, as provided in  
60 subdivision (3) of subsection (b) of section 30-39, as amended by this  
61 act.

62 Sec. 5. Subdivision (3) of subsection (b) of section 30-39 of the  
63 general statutes is repealed and the following is substituted in lieu  
64 thereof:

65 (3) The applicant, immediately after filing an application, shall give  
66 notice thereof, with the name and residence of the permittee, the type  
67 of permit applied for and the location of the place of business for  
68 which such permit is to be issued and the type of live entertainment to  
69 be provided, all in a form prescribed by the department, by publishing  
70 the same in a newspaper having a circulation in the town in which the  
71 place of business to be operated under such permit is to be located, at  
72 least once a week for two successive weeks, the first publication to be  
73 not more than seven days after the filing date of the application and  
74 the last publication not more than fourteen days after the filing date of  
75 the application. The applicant shall affix, and maintain in a legible  
76 condition upon the outer door of the building wherein such place of  
77 business is to be located and clearly visible from the public highway,  
78 the placard provided by the department, not later than the day  
79 following the receipt of the placard by the applicant. If such outer door  
80 of such premises is so far from the public highway that such placard is  
81 not clearly visible as provided, the department shall direct a suitable  
82 method to notify the public of such application. When an application is  
83 filed for any type of permit for a building that has not been  
84 constructed, such applicant shall erect and maintain in a legible

85 condition a sign not less than six feet by four feet upon the site where  
86 such place of business is to be located, instead of such placard upon  
87 the outer door of the building. The sign shall set forth the type of  
88 permit applied for and the name of the proposed permittee, shall be  
89 clearly visible from the public highway and shall be so erected not  
90 later than the day following the receipt of the placard. Such applicant  
91 shall make a return to the department, under oath, of compliance with  
92 the foregoing requirements, in such form as the department may  
93 determine, but the department may require any additional proof of  
94 such compliance. Upon receipt of evidence of such compliance, the  
95 department may hold a hearing as to the suitability of the proposed  
96 location. The provisions of this subdivision shall not apply to  
97 applications for airline permits, charitable organization permits,  
98 temporary permits, special club permits, concession permits, military  
99 permits, railroad permits, boat permits, warehouse permits, brokers'  
100 permits, out-of-state shippers' permits for alcoholic liquor and out-of-  
101 state shippers' permits for beer, coliseum permits, coliseum concession  
102 permits, special sporting facility restaurant permits, special sporting  
103 facility employee recreational permits, special sporting facility guest  
104 permits, special sporting facility concession permits, special sporting  
105 facility bar permits, nonprofit golf tournament permits, nonprofit  
106 public television permits, transporter permits, caterer liquor permits  
107 and renewals.

108 Sec. 6. Subsection (a) of section 30-91 of the general statutes is  
109 repealed and the following is substituted in lieu thereof:

110 (a) The sale or the dispensing or consumption or the presence in  
111 glasses or other receptacles suitable to permit the consumption of  
112 alcoholic liquor by an individual in places operating under hotel  
113 permits, restaurant permits, cafe permits, restaurant permits for  
114 catering establishments, bowling establishment permits, racquetball  
115 facility permits, club permits, coliseum permits, coliseum concession  
116 permits, special sporting facility restaurant permits, special sporting  
117 facility employee recreational permits, special sporting facility guest  
118 permits, special sporting facility concession permits, special sporting

119 facility bar permits, golf country club permits, nonprofit public  
120 museum permits, university permits, airport restaurant permits,  
121 airport bar permits, airport airline club permits, tavern permits, a  
122 manufacturer permit for a brew pub, [and] charitable organization  
123 permits and caterer liquor permits shall be unlawful on:

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

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

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

130 (4) Christmas, except for alcoholic liquor that is served with hot  
131 meals during the hours otherwise permitted by this section for the day  
132 on which Christmas falls; and

133 (5) January first between the hours of three o'clock a.m. and nine  
134 o'clock a.m., except that on any Sunday that is January first the  
135 prohibitions of this section shall be between the hours of three o'clock  
136 a.m. and eleven o'clock a.m.

137 Sec. 7. Section 30-62a of the general statutes is repealed and the  
138 following is substituted in lieu thereof:

139 The Department of Consumer Protection, subject to such regulations  
140 as said department shall adopt, may permit more than one consumer  
141 bar in any premises for which a permit has been issued under this part  
142 for the retail sale of alcoholic liquor to be consumed on the premises.  
143 [A consumer bar is a counter, with or without seats, at which a patron  
144 may purchase and consume or purchase alcoholic liquor.] The fee for  
145 each additional consumer bar shall be one hundred fifty dollars per  
146 annum.

147 Sec. 8. Subsection (b) of section 30-14 of the general statutes is  
148 repealed and the following is substituted in lieu thereof:

149 (b) Any permit in this part, except a permit issued under sections  
150 30-25, 30-35, 30-37b, 30-37d, 30-37g and 30-37h, may be issued for a  
151 continuous period of not more than six consecutive calendar months,  
152 at [two-thirds] one-half of regular fees, but rebate of fees shall not be  
153 permitted for any unexpired portion of the term of a permit revoked  
154 by reason of a violation of any provision of this chapter.

155 Sec. 9. Section 30-59a of the general statutes is repealed and the  
156 following is substituted in lieu thereof:

157 The Department of Consumer Protection [shall] may, upon notice  
158 from the Division of Special Revenue of the name and address of any  
159 person [who has had his] whose license was suspended or revoked by  
160 the Gaming Policy Board or the executive director of the Division of  
161 Special Revenue, suspend the permit of such person until such license  
162 has been restored to such person. The Department of Consumer  
163 Protection shall notify the Division of Special Revenue of the name and  
164 address of any permittee or backer whose permit has been suspended  
165 or revoked.

**Statement of Legislative Commissioners:**

In section 1(a) " "Community service" means community service," was deleted for conciseness.

**GL Committee Vote:** Yea 15 Nay 0 JFS