



House of Representatives

General Assembly

File No. 160

January Session, 2003

Substitute House Bill No. 6588

House of Representatives, April 2, 2003

The Committee on General Law reported through REP. FOX of the 144th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING WINE ORDERED WITH RESTAURANT MEALS.

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

1 Section 1. Section 30-22 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2003*):

3 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
4 to be consumed on the premises of a restaurant. A restaurant patron
5 may remove one unsealed bottle of wine for off-premises consumption
6 provided the patron has purchased a full course meal and consumed a
7 portion of the bottle of wine with such meal on the restaurant
8 premises. For the purposes of this section, "full course meal" means a
9 diversified selection of food which ordinarily cannot be consumed
10 without the use of tableware and which cannot be conveniently
11 consumed while standing or walking. A restaurant permit, with prior
12 approval of the Department of Consumer Protection, shall allow
13 alcoholic liquor to be served at tables in outside areas which are not

14 screened from public view where permitted by fire, zoning and health
 15 regulations. If not required by fire, zoning or health regulations, a
 16 fence or wall enclosing such outside areas shall not be required by the
 17 Department of Consumer Protection. No fence or wall used to enclose
 18 such outside areas shall be less than thirty inches high. The annual fee
 19 for a restaurant permit shall be one thousand two hundred dollars.

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

24 (c) A restaurant permit for wine and beer shall allow the retail sale
 25 of wine and beer and of cider not exceeding six per cent of alcohol by
 26 volume to be consumed on the premises of the restaurant. A restaurant
 27 patron may remove one unsealed bottle of wine for off-premises
 28 consumption provided the patron has purchased a full course meal
 29 and consumed a portion of the bottle of wine with such meal on the
 30 restaurant premises. The annual fee for a restaurant permit for wine
 31 and beer shall be five hundred sixty dollars.

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

33 (e) "Restaurant" means space, in a suitable and permanent building,
 34 kept, used, maintained, advertised and held out to the public to be a
 35 place where hot meals are regularly served, but which has no sleeping
 36 accommodations for the public and which shall be provided with an
 37 adequate and sanitary kitchen and dining room and employs at all
 38 times an adequate number of employees.

This act shall take effect as follows:	
Section 1	October 1, 2003

GL *Joint Favorable Subst.*

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:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Consumer Protection, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill would allow a restaurant patron to remove for off-premises consumption a partially-consumed bottle of wine ordered with a restaurant meal. Its passage would have no fiscal impact on the Department of Consumer Protection.

Since the state of Connecticut does not ban open containers in motor vehicles, passage of the bill would not violate federal law.

OLR Bill Analysis

sHB 6588

AN ACT CONCERNING WINE ORDERED WITH RESTAURANT MEALS

SUMMARY:

This bill allows a restaurant patron to take from the premises one open wine bottle if he bought and drank part of it with a full course meal he ate at the restaurant. It defines a "full course meal" as a diversified selection of food that ordinarily cannot be consumed without using tableware and which cannot be conveniently consumed while standing or walking.

Current law permits on-premises consumption only.

EFFECTIVE DATE: October 1, 2003

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0