



House of Representatives

General Assembly

File No. 266

January Session, 2003

Substitute House Bill No. 6591

House of Representatives, April 9, 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 THE ESTABLISHMENT OF A COFFEE SHOP PERMIT FOR THE SALE OF ALCOHOLIC LIQUOR.

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

1 Section 1. (NEW) (*Effective October 1, 2003*) (a) A coffee shop permit
2 shall allow the retail sale of coffee-based beverages to which spirits
3 have been added. All coffee-based beverages to which spirits have
4 been added shall be served in nondisposable containers by a server for
5 on-premises consumption by patrons who are seated at either a
6 counter or table. The permittee shall at all times comply with the
7 regulations of the local department of health. The annual fee for a
8 coffee shop permit shall be one hundred dollars.

9 (b) Premises operated under a coffee shop permit shall not be less
10 than three hundred square feet with seating capacity of ten persons or
11 more, in a suitable and permanent building, kept, used, maintained,
12 advertised and held out to the public to be a place where coffee or
13 coffee-based beverages are served for sale at retail for consumption on

14 the premises but which place does not necessarily serve hot meals and
 15 has no sleeping accommodations for the public. A coffee shop need not
 16 have a kitchen or dining room.

17 Sec. 2. Subsection (a) of section 30-91 of the general statutes is
 18 repealed and the following is substituted in lieu thereof (*Effective*
 19 *October 1, 2003*):

20 (a) The sale or the dispensing or consumption or the presence in
 21 glasses or other receptacles suitable to permit the consumption of
 22 alcoholic liquor by an individual in places operating under hotel
 23 permits, restaurant permits, cafe permits, restaurant permits for
 24 catering establishments, bowling establishment permits, racquetball
 25 facility permits, club permits, coliseum permits, coliseum concession
 26 permits, special sporting facility restaurant permits, special sporting
 27 facility employee recreational permits, special sporting facility guest
 28 permits, special sporting facility concession permits, special sporting
 29 facility bar permits, golf country club permits, nonprofit public
 30 museum permits, university permits, airport restaurant permits,
 31 airport bar permits, airport airline club permits, tavern permits, a
 32 manufacturer permit for a brew pub, casino permits, caterer liquor
 33 permits, coffee shop permits and charitable organization permits shall
 34 be unlawful on: (1) Monday, Tuesday, Wednesday, Thursday and
 35 Friday between the hours of one o'clock a.m. and nine o'clock a.m.; (2)
 36 Saturday between the hours of two o'clock a.m. and nine o'clock a.m.;
 37 (3) Sunday between the hours of two o'clock a.m. and eleven o'clock
 38 a.m.; (4) Christmas, except (A) for alcoholic liquor that is served where
 39 food is also available during the hours otherwise permitted by this
 40 section for the day on which Christmas falls, and (B) by casino
 41 permittees at casinos, as defined in section 30-37k; and (5) January first
 42 between the hours of three o'clock a.m. and nine o'clock a.m., except
 43 that on any Sunday that is January first the prohibitions of this section
 44 shall be between the hours of three o'clock a.m. and eleven o'clock a.m.

This act shall take effect as follows:	
Section 1	<i>October 1, 2003</i>

Sec. 2	October 1, 2003
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Statement of Legislative Commissioners:

In Subsec. (a) of section 1, "either" was moved for clarity.

GL *Joint Favorable Subst.-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:

Agency Affected	Fund-Type	FY 04 \$	FY 05 \$
Consumer Protection, Dept.	GF - Cost	Up to 118,870	Up to 146,136
Comptroller Misc. Accounts (Fringe Benefits)	GF - Cost	Up to 17,818	Up to 52,055
Consumer Protection, Dept.	GF - Revenue Gain	See Below	See Below

Note: GF=General Fund

Municipal Impact: None

Explanation

This bill establishes a coffee shop permit for the retail sale of coffee-based beverages to which spirits have been added.

The number of establishments that would qualify for this type of permit could be significant. It would include bakeries (3,988), coffee shops, diners, etc. Currently, the Liquor Control Division has 21 Liquor Control Agents to regulate approximately 7,500 licensed liquor establishments. The Liquor Agent to liquor establishment ratio is 1 Agent to 360 establishments. Assuming that 30% of just bakeries apply for this permit, the department would require 3 additional Liquor Control Agents, at an annual cost to the state of \$136,688 in FY 04 and \$198,191 in FY 05 to regulate 1,196 newly licensed establishments. Passage of this bill would also create an increased workload in the License Services Division, which processes all new applications and renewals, an increase in the Legal Division which would handle increased violations of the liquor laws, and an increased workload on the Liquor Control Commission through formal and informal hearings.

Assuming 1,196 new establishments apply for this permit, the

revenue gain to the General Fund from the \$100 annual coffee shop permit fee would be \$119,600.

OLR Bill Analysis

HB 6591

AN ACT CONCERNING THE ESTABLISHMENT OF A COFFEE SHOP PERMIT FOR THE SALE OF ALCOHOLIC LIQUOR

SUMMARY:

This bill creates a liquor permit for coffee shops. It allows a coffee shop permittee to add spirits to coffee-based drinks that customers drink on the premises. The drinks must be served in nondisposable containers, and the permittee must comply with local health department regulations.

The coffee shop must occupy at least 300 square feet, have seating for at least 10 people, and not have public sleeping accommodations. It must be located in a suitable and permanent building that is kept, used, maintained, advertised, and held out to the public as a place where coffee or coffee-based beverages are served and sold at retail for consumption on the premises. The coffee shop need not have a kitchen, dining room, or serve hot meals.

EFFECTIVE DATE: October 1, 2003

DAYS AND HOURS OF SALE

The bill sets the same permissible hours of sale for premises operating under a coffee shop permit as for restaurants, cafes, and similar establishments. These are: Monday through Thursday from 9:00 a.m. to 1:00 a.m., Friday and Saturday from 9:00 a.m. to 2:00 a.m., and Sunday from 11:00 a.m. to 1:00 a.m. Additional operating hour restrictions apply on Christmas and New Year's days.

COMMITTEE ACTION

General Law Committee

Joint Favorable Report

Yea 17 Nay 0

