



House of Representatives

General Assembly

File No. 122

February Session, 2004

Substitute House Bill No. 5497

House of Representatives, March 17, 2004

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 DISCOURAGING THE SALE OF ALCOHOLIC LIQUOR TO UNDERAGE PERSONS.

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

1 Section 1. (NEW) (*Effective October 1, 2004*) (a) A permittee issued a
2 permit in accordance with section 30-15 of the general statutes or an
3 agent or employee of such permittee may require any person whose
4 age is in question to have his or her photograph taken by such
5 permittee or agent or employee as a condition to selling or delivering
6 alcoholic liquor to such person. Such photograph shall include a
7 photographic image of such person's driver's license or identity card
8 issued in accordance with the provisions of section 1-1h of the general
9 statutes, as amended.

10 (b) The Department of Agriculture and Consumer Protection shall
11 adopt regulations in accordance with chapter 54 of the general statutes,
12 to establish guidelines and specifications for the photographic
13 equipment to be used and the format of the photograph to be taken by

14 such permittee or by an agent or employee of such permittee.

15 (c) In any prosecution of a permittee or an agent or employee of a
16 permittee for selling or delivering alcoholic liquor to a minor in
17 violation of subsection (b) of section 30-86 of the general statutes, as
18 amended, the recording of the image and driver's license or identity
19 card of any such minor who used a false driver's license or identity
20 card shall be prima facie evidence that such permittee or agent or
21 employee acted in good faith and sold or delivered alcoholic liquor in
22 reasonable reliance upon the identification presented.

This act shall take effect as follows:	
Section 1	<i>October 1, 2004</i>

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-Effect	FY 05 \$	FY 06 \$
Consumer Protection, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill requires the Department of Consumer Protection to adopt regulations regarding guidelines and specifications for equipment used to photograph prospective purchasers of alcohol who appear under 21 years of age. The photographs may be used as prima facie evidence if the liquor permittees are prosecuted for selling alcohol to a minor. Although an increase in workload may occur there would not be a fiscal impact.

OLR Bill Analysis

sHB 5497

AN ACT DISCOURAGING THE SALE OF ALCOHOLIC LIQUOR TO UNDERAGE PERSONS

SUMMARY:

This bill allows liquor permittees and their agents and employees to require prospective purchasers who appear underage to have their photographs taken as a condition of selling or delivering alcohol to them. The photograph must include a photographic image of the prospective purchaser's driver's license or nondriver photo identity card. The bill allows such permittees, or their agents or employees, if prosecuted for selling or delivering alcohol to a minor, to provide the photograph as prima facie evidence that they acted in good faith and reasonably relied upon the identification presented in selling or delivering the alcohol. It requires the Department of Agriculture and Consumer Protection to adopt regulations establishing guidelines and specifications for the photographic equipment to be used, and the format of the photograph.

EFFECTIVE DATE: October 1, 2004

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 19 Nay 0