



General Assembly

***Raised Bill No. 441***

*February Session, 2004*

LCO No. 1785

\*       SB00441GL      030504      \*

Referred to Committee on General Law

Introduced by:  
(GL)

***AN ACT IMPLEMENTING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR TECHNICAL REVISIONS TO CONSUMER PROTECTION STATUTES.***

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

1       Section 1. Subdivision (1) of subsection (b) of section 19a-342 of the  
2       general statutes, as amended by section 1 of public act 03-45 and  
3       section 33 of public act 03-3 of the June 30 special session, is repealed  
4       and the following is substituted in lieu thereof (*Effective October 1,*  
5       *2004*):

6       (b) (1) Notwithstanding the provisions of section 31-40q, as  
7       amended, no person shall smoke: (A) In any building or portion of a  
8       building owned and operated or leased and operated by the state or  
9       any political subdivision thereof; (B) in any area of a health care  
10      institution; (C) in any area of a retail food store; (D) in any restaurant;  
11      (E) in any area of an establishment with a permit issued for the sale of  
12      alcoholic liquor pursuant to section 30-20a, as amended, 30-21, 30-21b,  
13      30-22, as amended, 30-22c, 30-28, 30-28a, 30-33a, as amended, 30-33b,  
14      30-35a, 30-37a, 30-37e or 30-37f, as amended, in any area of an  
15      establishment with a permit for the sale of alcoholic liquor pursuant to

16 section 30-23 issued after May 1, 2003, and, on and after April 1, 2004,  
17 in any area of an establishment with a permit issued for the sale of  
18 alcoholic liquor pursuant to section 30-22a, as amended, or 30-26 or  
19 the bar area of a bowling establishment holding a permit pursuant to  
20 subsection (a) of section 30-37c; (F) within a school building while  
21 school is in session or student activities are being conducted; (G) in any  
22 passenger elevator, provided no person shall be arrested for violating  
23 this subsection unless there is posted in such elevator a sign which  
24 indicates that smoking is prohibited by state law; (H) in any dormitory  
25 in any public or private institution of higher education; or (I) on and  
26 after April 1, 2004, in any area of a dog race track or a facility equipped  
27 with screens for the simulcasting of off-track betting race programs or  
28 jai alai games. For purposes of this subsection, "restaurant" means  
29 space, in a suitable and permanent building, kept, used, maintained,  
30 advertised and held out to the public to be a place where meals are  
31 regularly served to the public.

32 Sec. 2. Subsection (c) of section 30-48 of the general statutes, as  
33 amended by section 1 of public act 03-34, is repealed and the following  
34 is substituted in lieu thereof (*Effective October 1, 2004*):

35 (c) If there is a proposed change or change in ownership of a retail  
36 permit premises, no application for a permit shall be approved until  
37 the applicant files with the department an affidavit executed by the  
38 applicant stating that all obligations of the predecessor permittee for  
39 the purchase of alcoholic liquor at such permit premises have been  
40 paid or that such applicant did not receive direct or indirect  
41 consideration from the predecessor permittee. If a wholesaler  
42 permittee alleges the applicant received direct or indirect consideration  
43 from the predecessor permittee or that there [remains] remain  
44 outstanding liquor obligations, such wholesaler permittee may file  
45 with the department an affidavit, along with supporting  
46 documentation to establish receipt of such consideration or  
47 outstanding liquor obligations. The [commissioner] Commissioner of  
48 Agriculture and Consumer Protection, in the commissioner's sole

