



House Bill No. 6752

Public Act No. 05-226

AN ACT IMPLEMENTING THE RECOMMENDATIONS OF THE LEGISLATIVE PROGRAM REVIEW AND INVESTIGATIONS COMMITTEE RELATIVE TO THE STRUCTURING OR PERMITS AND FEES UNDER THE LIQUOR CONTROL ACT.

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

Section 1. (*Effective from passage*) (a) Not later than February 1, 2006, the Department of Consumer Protection shall, in accordance with the provisions of section 11-4a of the general statutes, report to the joint standing committee of the General Assembly having cognizance of matters relating to general law on the most feasible manner to restructure the current permit system under the Liquor Control Act by January 1, 2008, such that businesses with similar activities are grouped under a single type of permit while the current three tier system of manufacturers, wholesalers and retailers is retained. Such report shall include, but not be limited to, recommendations on how: (1) The existing permit structure for retail establishments may be restructured to reflect distinctions between establishments that are authorized to sell alcoholic liquor to be consumed on the premises and establishments that are authorized to sell alcoholic liquor for consumption off the premises, (2) the current permit structure for retail establishments may be restructured to create a permit system that categorizes on-premises consumption retail establishments based upon

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the primary activity and food service requirement of such permittee, such as primarily drinking with food service optional, primarily dining with full food service required and other primary activity, (3) the current permit structure for off-premises consumption retail establishments may be restructured into two categories of primarily alcohol and primarily grocery, (4) any such new structure may permit the issuance of provisional licenses and endorsements by the Commissioner of Consumer Protection to limit the type of alcohol sold by a permittee, the number of permits that may be held by a permittee or any restriction on the operation of any permittee.

(b) Not later than February 1, 2006, in accordance with the provisions of section 11-4a of the general statutes, the Department of Consumer Protection, in consultation with the Department of Revenue Services, shall report to the joint standing committee of the General Assembly having cognizance of matters relating to general law on any statutory changes required to implement, by January 1, 2008, a permit fee structure under the Liquor Control Act that includes a minimum fee for all annual commercial permits, to cover the costs of processing such permit application and conducting a routine inspection of such permittee, a suggested volume-based fee for such permittee and requires such permittee to pay the greater of the two fees. Such report shall include, but not be limited to, recommendations for: (1) Reasonable fees for temporary permits and permits issued to charitable and nonprofit organizations, (2) the most accurate and comprehensive source of information upon which to base a volume-based fee for commercial permittees, and (3) the appropriate permit fee for all commercial permittees that will generate total revenues equal to or greater than current revenues from such permit fees.

Sec. 2. Subsections (d) and (e) of section 30-91 of the general statutes are repealed and the following is substituted in lieu thereof (*Effective October 1, 2005*):

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(d) The sale or dispensing of alcoholic liquor in places operating under package store permits, drug store permits, manufacturer permits for beer or grocery store beer permits shall be unlawful on Decoration Day, Independence Day, Labor Day, Thanksgiving Day, New Year's Day, Sunday or Christmas or, if Independence Day, Christmas or New Year's Day occurs on a Sunday, on the Monday next following such day except that such sale or dispensing shall be lawful on any Independence Day occurring on a Saturday; and such sale or dispensing of alcoholic liquor in places operating under package store permits, drug store permits, manufacturer permits for beer and grocery store beer permits shall be unlawful on any other day before eight o'clock a.m. and after nine o'clock p.m. It shall be unlawful for the holder of a manufacturing permit for a brew pub to sell beer for consumption off the premises on the days or hours prohibited by this subsection. Any town may, by a vote of a town meeting or by ordinance, reduce the number of hours during which such sale shall be permissible.

(e) [(1)] In the case of any premises operating under a tavern permit [, premises operating under a manufacturer permit for a brew pub,] or premises operating under a cafe permit, wherein, under the provisions of this section, the sale of alcoholic liquor is forbidden on certain days or hours of the day, or during the period when a tavern permit [, manufacturer permit for a brew pub,] or cafe permit is suspended, it shall likewise be unlawful to keep such premises open to, or permit it to be occupied by, the public on such days or hours.

[(2) For a period of one year after October 1, 1999, the provisions of this subsection shall not apply to any premises operating under a manufacturer permit for a brew pub in which class III gaming, as defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701, et seq., may be legally conducted.]

Sec. 3. Section 2 of public act 05-7 is repealed. *(Effective from passage)*

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Approved July 8, 2005