



General Assembly

January Session, 2007

Raised Bill No. 7099

LCO No. 3856

03856 _____ GL_

Referred to Committee on General Law

Introduced by:

(GL)

AN ACT CONCERNING LIQUOR PERMITS AND TRUSTS.

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

1 Section 1. Section 30-48a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No person, and no backer as defined in section 30-1, shall, except
4 as hereinafter provided, acquire an interest in more than two alcoholic
5 beverage retail permits, but nothing herein shall: (1) [require] Require
6 any such person who had, on June 8, 1981, such interest in more than
7 two such permits to surrender, dispose of or release his interest in any
8 such permit or permits nor shall it affect his right to continue to hold,
9 use and renew such permits, or (2) prohibit any such person who had,
10 on June 8, 1981, such interest in more than two such permits from
11 transferring his interest in such permits by inter vivos or testamentary
12 disposition, including living trusts, to his spouse or child, or such
13 spouse's or child's living trust or prohibit such spouse or child from
14 accepting such a transfer notwithstanding that such spouse or child
15 may already hold another permit issued under the provisions of this
16 chapter. Any such permit so transferred may be renewed by such
17 transferee under the provisions of section 30-14a. Except as provided

18 in subdivision (1) of this subsection, a person shall be deemed to
 19 acquire an interest in a retail permit if an interest is owned by: [such]
 20 (A) Such person equitably or legally, (B) such person's spouse,
 21 children, or partners, [or] (C) an estate [,] that is part of a revocable or
 22 irrevocable trust which attempts to limit the interest by using a legal
 23 instrument, or (D) a corporation controlled by such person or such
 24 person's spouse, children, or any combination thereof. The provisions
 25 of this subsection shall apply to any such interest without regard to
 26 whether such interest is a controlling interest or whether such interest
 27 is limited to or appears to be fully negated by an irrevocable trust. For
 28 the purposes of this subsection, "person" means [(A)] (i) an individual,
 29 [(B)] (ii) a corporation or any subsidiary of a corporation, or [(C)] (iii)
 30 any combination of corporations or individuals any of whom, or any
 31 combination of whom, owns or controls, directly or indirectly, more
 32 than five per cent of any entity which is a backer as defined in said
 33 section 30-1.

34 (b) A retail permit for the purposes of subsection (a) of this section
 35 means a package store liquor permit or a druggist liquor permit.

36 (c) Membership in any organization which is or may become the
 37 holder of a club permit shall not constitute acquisition of an interest in
 38 a retail permit.

39 (d) Any person who violates any provision of this section or of any
 40 regulation issued pursuant hereto shall be fined not less than fifty
 41 dollars nor more than two hundred fifty dollars and any permit issued
 42 in violation of this section shall be revoked.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-48a

Statement of Purpose:

To maintain the two alcoholic beverage retail permit rule.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]