



General Assembly

January Session, 2007

Raised Bill No. 1270

LCO No. 4601

04601_____JUD

Referred to Committee on Judiciary

Introduced by:
(JUD)

AN ACT CONCERNING NOTICE IN DRAM SHOP ACTIONS INVOLVING DEATH OR INCAPACITY.

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

1 Section 1. Section 30-102 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2007, and*
3 *applicable to causes of action arising on or after said date*):

4 If any person, by such person or such person's agent, sells any
5 alcoholic liquor to an intoxicated person, and such purchaser, in
6 consequence of such intoxication, thereafter injures the person or
7 property of another, such seller shall pay just damages to the person
8 injured, up to the amount of two hundred fifty thousand dollars, or to
9 persons injured in consequence of such intoxication up to an aggregate
10 amount of two hundred fifty thousand dollars, to be recovered in an
11 action under this section, provided the aggrieved person or persons
12 shall give written notice to such seller within one hundred twenty days
13 of the occurrence of such injury to person or property of such person's
14 or persons' intention to bring an action under this section. In
15 computing such one-hundred-twenty-day period, the time between
16 the death or incapacity of any aggrieved person and the appointment

17 of an executor, administrator, conservator or guardian of such person's
18 estate shall be excluded, except that the time so excluded shall not
19 exceed one hundred twenty days. Such notice shall specify the time,
20 the date and the person to whom such sale was made, the name and
21 address of the person injured or whose property was damaged, and
22 the time, date and place where the injury to person or property
23 occurred. No action under the provisions of this section shall be
24 brought but within one year from the date of the act or omission
25 complained of. Such injured person shall have no cause of action
26 against such seller for negligence in the sale of alcoholic liquor to a
27 person twenty-one years of age or older.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2007, and applicable to causes of action arising on or after said date</i>	30-102

Statement of Purpose:

To restore former provisions concerning the computation of the required notice period for bringing a dram shop action in the case of the death or incapacity of an aggrieved person.

[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.]