



Substitute Senate Bill No. 1270

Public Act No. 07-165

AN ACT CONCERNING NOTICE IN DRAM SHOP ACTIONS INVOLVING DEATH OR INCAPACITY AND MANUFACTURER PERMITS FOR BREW PUBS.

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

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 Section 30-102 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2007, and applicable to causes of action arising on or after said date*):

If any person, by such person or such person's agent, sells any alcoholic liquor to an intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of two hundred fifty thousand dollars, or to persons injured in consequence of such intoxication up to an aggregate amount of two hundred fifty thousand dollars, to be recovered in an action under this section, provided the aggrieved person or persons shall give written notice to such seller [within one hundred twenty days of the occurrence of such injury to person or property] of such person's or persons' intention to bring an action under this section. Such notice shall be given (1) within one hundred twenty days of the occurrence of such injury to person or property, or (2) in the case of the death or incapacity of any aggrieved person, within one hundred

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eighty days of the occurrence of such injury to person or property. Such notice shall specify the time, the date and the person to whom such sale was made, the name and address of the person injured or whose property was damaged, and the time, date and place where the injury to person or property occurred. No action under the provisions of this section shall be brought but within one year from the date of the act or omission complained of. Such injured person shall have no cause of action against such seller for negligence in the sale of alcoholic liquor to a person twenty-one years of age or older.

Sec. 2. Subsection (f) of section 30-16 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective from passage*):

(f) A manufacturer permit for a brew pub shall allow: [the] (1) The manufacture, storage and bottling of beer, (2) the retail sale of alcoholic liquor to be consumed on the premises with or without the sale of food, [and] (3) the selling at retail from the premises of sealed bottles or other sealed containers of beer brewed on such premises for consumption off the premises, and (4) the sale of sealed bottles or other sealed containers of beer brewed on such premises to the holder of a wholesaler permit issued pursuant to section 30-17, provided that the holder of a manufacturer permit for a brew pub produces at least five thousand gallons of beer on the premises annually. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than eight liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for a brew pub shall be two hundred forty dollars.

Approved June 25, 2007