



General Assembly

February Session, 2008

Raised Bill No. 5763

LCO No. 2317

02317_____GL_

Referred to Committee on General Law

Introduced by:
(GL)

AN ACT CONCERNING WINE ORDERED WITH RESTAURANT MEALS.

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

1 Section 1. Section 30-22 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
4 to be consumed on the premises of a restaurant. A restaurant patron
5 shall be allowed to remove one unsealed bottle of wine for off-
6 premises consumption provided the patron has purchased such bottle
7 of wine at such restaurant and has purchased a full course meal at
8 such restaurant and consumed a portion of the bottle of wine with
9 such meal on such restaurant premises. For the purposes of this
10 section, "full course meal" means a diversified selection of food which
11 ordinarily cannot be consumed without the use of tableware and
12 which cannot be conveniently consumed while standing or walking. A
13 restaurant permit, with prior approval of the Department of Consumer
14 Protection, shall allow alcoholic liquor to be served at tables in outside
15 areas which are screened or not screened from public view where
16 permitted by fire, zoning and health regulations. If not required by

17 fire, zoning or health regulations, a fence or wall enclosing such
18 outside areas shall not be required by the Department of Consumer
19 Protection. No fence or wall used to enclose such outside areas shall be
20 less than thirty inches high. The annual fee for a restaurant permit
21 shall be one thousand two hundred dollars.

22 (b) A restaurant permit for beer shall allow the retail sale of beer
23 and of cider not exceeding six per cent of alcohol by volume to be
24 consumed on the premises of a restaurant. The annual fee for a
25 restaurant permit for beer shall be two hundred forty dollars.

26 (c) A restaurant permit for wine and beer shall allow the retail sale
27 of wine and beer and of cider not exceeding six per cent of alcohol by
28 volume to be consumed on the premises of the restaurant. A restaurant
29 patron may remove one unsealed bottle of wine for off-premises
30 consumption provided the patron has purchased a full course meal
31 and consumed a portion of the bottle of wine with such meal on the
32 restaurant premises. The annual fee for a restaurant permit for wine
33 and beer shall be five hundred sixty dollars.

34 (d) Repealed by P.A. 77-112, S. 1.

35 (e) A partially consumed bottle of wine that is to be removed from
36 the premises pursuant to subsection (a) or (c) of this section shall be
37 securely sealed and placed in a bag by the permittee or permittee's
38 agent or employee prior to removal from the premises. The permittee
39 or the permittee's agent or employee may refuse to allow a restaurant
40 patron to remove a bottle of wine from the premises pursuant to
41 subsection (a) or (c) of this section if the permittee, permittee's agent or
42 employee reasonably believes the patron is intoxicated and that
43 delivering the bottle of wine to the patron would violate the provisions
44 of subsection (b) of section 30-86.

45 (f) "Restaurant" means space, in a suitable and permanent building,
46 kept, used, maintained, advertised and held out to the public to be a
47 place where hot meals are regularly served, but which has no sleeping

48 accommodations for the public and which shall be provided with an
49 adequate and sanitary kitchen and dining room and employs at all
50 times an adequate number of employees.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 30-22 |

Statement of Purpose:

To allow restaurant owners and employees to stop intoxicated patrons from removing partially consumed bottles of wine from restaurant premises.

[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.]