

Connecticut Restaurant Association Testimony
March 24, 2010
House Bill 5536 An Act Concerning The Dram Shop Act

The Connecticut Restaurant Association supports House Bill 5536. Under the current dram shop statute, the liquor seller can be held liable regardless of whether or not the bartender or server actually served the alcoholic beverage directly to an intoxicated person. This bill aims to clarify the dram shop statute to apply only to the seller if they directly provide the alcoholic liquor to an intoxicated person. Under this bill, if an alcoholic beverage is purchased by one individual and given by them to another individual who is intoxicated, the bartender or server would not be liable.

A bartender or server is presently held liable if he or she serves alcoholic liquor to a visibly intoxicated person. This bill would take that into consideration. If the bartender or server does not serve directly to an intoxicated person, then they are unable to ascertain whether the person is intoxicated and should therefore not be held accountable.

Restaurants in Connecticut take various precautions to ensure the safety of their customers as well as to protect themselves when the serving of alcoholic beverages is involved. Examples of these precautions include: training servers and bartenders who serve alcoholic beverages in alcohol training courses and supplying affidavits to customers they believe are under the legal drinking age of twenty-one. These are just two of the many examples of how restaurants in Connecticut are educating their bartenders and servers in safe alcohol sales.

This bill would spell out in an apparent manner that the seller of alcoholic beverages is only held liable under the dram shop act if that seller furnishes an alcoholic beverage directly to an intoxicated person. We urge your support of this measure.

Thank you.