



Senate

General Assembly

File No. 500

January Session, 2011

Substitute Senate Bill No. 458

Senate, April 13, 2011

The Committee on Planning and Development reported through SEN. CASSANO of the 4th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING MUNICIPAL POLICE DEPARTMENTS AND THE RENEWAL OF CERTAIN ALCOHOLIC LIQUOR PERMITS.

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

1 Section 1. (NEW) (*Effective January 1, 2012*) (a) On and after January
2 1, 2012, and until December 31, 2013, any person who makes a liquor
3 permit renewal application pursuant to section 30-39 of the general
4 statutes for a liquor permit that allows on-premises serving or
5 consumption of alcoholic liquor in a municipality described in
6 subsection (b) of this section shall simultaneously give written notice
7 of such liquor permit renewal application to the chief law enforcement
8 official in such municipality. Such chief law enforcement official may
9 respond in writing, not later than fifteen days after receipt of said
10 notice, to the Commissioner of Consumer Protection with comments
11 about the renewal application that is the subject of said notice. The
12 Department of Consumer Protection shall consider any written
13 comments offered by such chief law enforcement official or his or her
14 designee prior to issuing such applicant a liquor permit renewal.

15 (b) A municipality shall be subject to the provisions of subsection (a)
 16 of this section if: (1) It has a population of not greater than one
 17 hundred thirty thousand and not less than one hundred twenty-eight
 18 thousand persons, as determined in accordance with the United States
 19 Census Bureau 2009 population estimates; (2) it has been incorporated
 20 by special act; and (3) it has a mayor and city council or board of
 21 aldermen form of government.

22 (c) Not later than February 1, 2014, the Commissioner of Consumer
 23 Protection shall submit a report, in accordance with section 11-4a of the
 24 general statutes, to the joint standing committees of the General
 25 Assembly having cognizance of matters relating to local government,
 26 public safety and security and alcoholic beverages. Such report shall
 27 include, but not be limited to: (1) The number of written comments
 28 submitted by chief law enforcement officials, or their designees, under
 29 subsection (a) of this section; (2) copies of said written comments; (3) a
 30 summary of actions taken by the Department of Consumer Protection
 31 regarding the granting or denial of any liquor permit renewal
 32 application subject to the provisions of subsection (a) of this section;
 33 and (4) the commissioner's conclusions and recommendations, after
 34 consultation with the chief law enforcement official of each
 35 municipality described in subsection (b) of this section, regarding the
 36 continuance of the notice requirement contained in subsection (a) of
 37 this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	January 1, 2012	New section

Section 1	January 1, 2012	New section
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PD *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact: None

Municipal Impact: None

Explanation

The Department of Consumer Protection will incur no costs in submitting a report to certain committees of the General Assembly on its findings and recommendations concerning the renewal of alcohol permits and municipal police departments. A city whose municipal police department chooses to require a person making a liquor permit renewal to give written notice to the municipality's chief law enforcement official will incur no costs should it choose to adopt this practice.

The Out Years

State Impact: None

Municipal Impact: None

OLR Bill Analysis**sSB 458*****AN ACT CONCERNING MUNICIPAL POLICE DEPARTMENTS AND THE RENEWAL OF CERTAIN ALCOHOLIC LIQUOR PERMITS.*****SUMMARY:**

This bill requires anyone from a qualifying municipality who is renewing a liquor permit for on-premise alcohol consumption between January 1, 2012 and December 31, 2013 to give written notice to the municipality's chief law enforcement official. It also requires the Department of Consumer Protection (DCP) commissioner to submit a report to certain legislative committees on his findings and recommendations on the notification requirement.

A qualifying municipality is one that has (1) a population between 128,000 and 130,000 people, as determined by the U.S. Census Bureau 2009 population estimates; (2) been incorporated by a special act; and (3) a mayor and city council or board of alderman form of government. No Connecticut municipalities qualify under these requirements.

EFFECTIVE DATE: January 1, 2012

NOTICE

The bill requires anyone from a qualifying municipality who files a renewal application with DCP for a liquor permit that allows on-premise alcohol consumption to simultaneously give written notice of the application to the municipality's chief law enforcement official. Within 15 days of notice, the official may submit written comments on the application to the DCP commissioner. DCP must consider the comments before renewing the permit.

REPORT ON LIQUOR PERMIT RENEWALS

By February 1, 2014, the DCP commissioner must submit a report to

the General Law, Planning and Development, and Public Safety and Security committees. The report must include:

1. the number of written comments submitted by law enforcement officials or their designees and copies of the comments;
2. a summary of actions taken by DCP in granting or denying any permit renewal application that was subject to the notice requirement; and
3. the DCP commissioner’s conclusions and recommendations, after consulting with the chief law enforcement official of each qualifying municipality, about continuing the notice requirement.

BACKGROUND

Legislative History

The Senate referred the bill (File 118) to the Planning and Development Committee, which reported favorably a substitute with changes to the population of the qualifying municipality.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute
Yea 12 Nay 3 (03/03/2011)

Planning and Development Committee

Joint Favorable Substitute
Yea 18 Nay 1 (04/04/2011)