



General Assembly

Substitute Bill No. 6267

January Session, 2011

* _____HB06267FIN____041911_____*

AN ACT CONCERNING THE SALE OF WINE WITH GIFT BASKETS.

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

1 Section 1. (NEW) (*Effective October 1, 2011*) (a) A gift basket retailer
2 permit shall allow the retail sale of wine included in a gift basket sold
3 at retail by the permit holder. Such wine shall not be consumed on the
4 premises. Such permit holder shall be located in this state and such
5 wine shall only be purchased by such permit holder from the holder of
6 a package store permit issued pursuant to section 30-20 of the general
7 statutes or the holder of a manufacturer permit for a farm winery
8 issued pursuant to subsection (e) of section 30-16 of the general
9 statutes.

10 (b) The holder of a gift basket retailer permit may sell gift baskets
11 which may include (1) wine, (2) food items, (3) nonalcoholic beverages,
12 (4) concentrates used in the preparation of mixed alcoholic beverages,
13 (5) wine-making kits and products related to wine-making kits, (6) ice
14 in any form, (7) articles of clothing imprinted with advertising related
15 to the alcoholic liquor industry, or (8) flowers, plants and garden-
16 related items. The sale of such gift baskets shall only take place during
17 the times permitted for the sale of alcoholic liquor in places operating
18 under package store permits pursuant to section 30-91 of the general
19 statutes.

20 (c) The annual fee for a gift basket retailer permit shall be two

21 hundred dollars.

22 Sec. 2. (NEW) (*Effective October 1, 2011*) (a) A gift basket retailer
23 permit issued in accordance with section 1 of this act shall allow the
24 sale and delivery or shipment of gift baskets containing wine directly
25 to a consumer in this state, subject to the provisions of section 1 of this
26 act and of this section, or to a consumer outside of this state, subject to
27 all applicable laws of the jurisdiction in which such consumer outside
28 of this state is located. Such permittee, when selling and shipping gift
29 baskets containing wine directly to a consumer in this state, shall: (1)
30 Ensure that the shipping labels on all gift baskets containing wine
31 shipped directly to a consumer in this state conspicuously state the
32 following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON
33 AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the
34 signature of a person age twenty-one or older at the address prior to
35 delivery, after requiring the signer to demonstrate that he or she is age
36 twenty-one or older by providing a valid motor vehicle operator's
37 license or a valid identity card described in section 1-1h of the general
38 statutes; (3) obtain a seller's permit pursuant to chapter 219 of the
39 general statutes, and pay to the Department of Revenue Services all
40 sales taxes as required under said chapter 219 on sales of gift baskets;
41 (4) report to the Department of Consumer Protection a separate and
42 complete record of all sales and shipments to consumers in the state,
43 on a ledger sheet or similar form which readily presents a
44 chronological account of such permittee's dealings with each such
45 consumer; (5) permit the Department of Consumer Protection and
46 Department of Revenue Services, separately or jointly, to perform an
47 audit of the permittee's records upon request; and (6) not ship to any
48 address in the state where the sale of alcoholic liquor is prohibited by
49 local option pursuant to section 30-9 of the general statutes.

50 (b) A holder of a gift basket retailer permit, when advertising or
51 offering wine for direct shipment to a consumer in this or another state
52 via the Internet or any other on-line computer network, shall clearly
53 and conspicuously state its gift basket retailer permit number in its

54 advertising.

55 (c) The Department of Consumer Protection, in consultation with
56 the Department of Revenue Services, may adopt regulations, in
57 accordance with the provisions of chapter 54 of the general statutes, to
58 assure compliance with the provisions of subsection (a) of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2011</i>	New section
Sec. 2	<i>October 1, 2011</i>	New section

FIN *Joint Favorable Subst.*