

OFFICE OF LEGISLATIVE RESEARCH  
PUBLIC ACT SUMMARY



**PA 11-250**—sHB 6267

*General Law Committee*

*Finance, Revenue and Bonding Committee*

**AN ACT CONCERNING THE SALE OF WINE WITH GIFT BASKETS**

**SUMMARY:** This act establishes a gift basket retailer permit, with an annual \$200 permit fee, that allows the retail sale and shipment of wine in gift baskets to both in-state and out-of-state consumers. It requires the permittee to take certain steps when selling these baskets to in-state consumers.

The act allows the Department of Consumer Protection (DCP), in consultation with the Department of Revenue Services (DRS), to adopt regulations to assure compliance with its in-state delivery provisions.

It requires a permittee to clearly include his or her gift basket retailer permit number in all online advertising to ship wine.

The act does not affect what a package store may sell.

EFFECTIVE DATE: October 1, 2011

**GIFT BASKET RETAILER PERMIT**

Under the act, the gift basket retailer permit allows wine to be sold at retail as part of a gift basket. The permittee must be located in-state and the wine (1) must be purchased from a package store or farm winery, (2) cannot be consumed on the premises, and (3) can only be sold during the same hours a package store is allowed to sell alcohol. The permittee must not sell gift baskets on another alcohol permittee's premises.

The permittee may sell gift baskets that include (1) up to four bottles of wine; (2) food items; (3) nonalcoholic beverages; (4) concentrates used to make mixed alcoholic beverages; (5) wine-making kits and related products; (6) ice; (7) clothing with advertising related to the alcoholic liquor industry or the permittee's gift basket business; (8) flowers, plants, and garden-related items; (9) drinking glasses, bottle openers, and wine literature; or (10) gift certificates.

**DIRECT SHIPMENT**

A gift basket retailer permit allows the sale and delivery or shipment of gift baskets containing wine directly to a consumer. If a consumer is out-of-state, the permittee is subject to that state's applicable laws. If the consumer is in Connecticut, the permittee must:

1. ensure the shipping labels on gift baskets containing wine conspicuously state: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY;"
2. ensure that someone who is at least age 21, as shown on a driver's license or identity card, signs for the delivery;

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3. obtain a seller's permit and pay DRS all required sales taxes;
4. report to DCP a separate and complete record of all sales and shipments to consumers in Connecticut on a ledger or similar document that presents a chronological account of the dealings;
5. permit DCP and DRS, separately or jointly, to audit his or her records upon request; and
6. not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option.

OLR Tracking: DC:RC:PF:ts