



General Assembly

February Session, 2014

Raised Bill No. 5430

LCO No. 1798



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

**AN ACT PERMITTING RESTAURANT AND CAFE PERMIT HOLDERS
TO SELL GROWLERS OF BEER AT RETAIL.**

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 Section 30-22 of the general statutes is repealed and the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. Such permit shall also authorize the selling
21 at retail from the premises of sealed containers of draught beer for
22 consumption off the premises. Such selling at retail from the premises
23 of sealed containers shall comply with the provisions of subsection (d)
24 of section 30-91 and shall permit not more than four liters of such beer
25 to be sold to any person on any day on which the sale of alcoholic
26 liquor is authorized under the provisions of subsection (d) of section
27 30-91. The annual fee for a restaurant permit shall be one thousand
28 four hundred fifty dollars.

29 (b) A restaurant permit for beer shall allow the retail sale of beer
30 and of cider not exceeding six per cent of alcohol by volume to be
31 consumed on the premises of a restaurant. Such permit shall also
32 authorize the selling at retail from the premises of sealed containers of
33 draught beer for consumption off the premises. Such selling at retail
34 from the premises of sealed containers shall comply with the
35 provisions of subsection (d) of section 30-91 and shall permit not more
36 than four liters of such beer to be sold to any person on any day on
37 which the sale of alcoholic liquor is authorized under the provisions of
38 subsection (d) of section 30-91. The annual fee for a restaurant permit
39 for beer shall be three hundred dollars.

40 (c) A restaurant permit for wine and beer shall allow the retail sale
41 of wine and beer and of cider not exceeding six per cent of alcohol by
42 volume to be consumed on the premises of the restaurant. A restaurant
43 patron may remove one unsealed bottle of wine for off-premises
44 consumption provided the patron has purchased a full course meal
45 and consumed a portion of the bottle of wine with such meal on the
46 restaurant premises. Such permit shall also authorize the selling at
47 retail from the premises of sealed containers of draught beer for
48 consumption off the premises. Such selling at retail from the premises

49 of sealed containers shall comply with the provisions of subsection (d)
50 of section 30-91 and shall permit not more than four liters of such beer
51 to be sold to any person on any day on which the sale of alcoholic
52 liquor is authorized under the provisions of subsection (d) of section
53 30-91. The annual fee for a restaurant permit for wine and beer shall be
54 seven hundred dollars.

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

56 (e) A partially consumed bottle of wine that is to be removed from
57 the premises pursuant to subsection (a) or (c) of this section shall be
58 securely sealed and placed in a bag by the permittee or permittee's
59 agent or employee prior to removal from the premises.

60 (f) "Restaurant" means space, in a suitable and permanent building,
61 kept, used, maintained, advertised and held out to the public to be a
62 place where hot meals are regularly served, but which has no sleeping
63 accommodations for the public and which shall be provided with an
64 adequate and sanitary kitchen and dining room and employs at all
65 times an adequate number of employees.

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

68 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
69 consumed on the premises of a cafe. Premises operated under a cafe
70 permit shall regularly keep food available for sale to its customers for
71 consumption on the premises. The availability of sandwiches, soups or
72 other foods, whether fresh, processed, precooked or frozen, shall be
73 deemed compliance with this requirement. The licensed premises shall
74 at all times comply with all the regulations of the local department of
75 health. Nothing herein shall be construed to require that any food be
76 sold or purchased with any liquor, nor shall any rule, regulation or
77 standard be promulgated or enforced requiring that the sale of food be
78 substantial or that the receipts of the business other than from the sale
79 of liquor equal any set percentage of total receipts from sales made

80 therein. A cafe permit shall allow, with the prior approval of the
81 Department of Consumer Protection, alcoholic liquor to be served at
82 tables in outside areas that are screened or not screened from public
83 view where permitted by fire, zoning and health regulations. If not
84 required by fire, zoning or health regulations, a fence or wall enclosing
85 such outside areas shall not be required by the Department of
86 Consumer Protection. No fence or wall used to enclose such outside
87 areas shall be less than thirty inches high. Such permit shall also
88 authorize the selling at retail from the premises of sealed containers of
89 draught beer for consumption off the premises. Such selling at retail
90 from the premises of sealed containers shall comply with the
91 provisions of subsection (d) of section 30-91 and shall permit not more
92 than four liters of such beer to be sold to any person on any day on
93 which the sale of alcoholic liquor is authorized under the provisions of
94 subsection (d) of section 30-91. The annual fee for a cafe permit shall be
95 two thousand dollars.

96 (b) (1) A cafe patron may remove one unsealed bottle of wine for
97 off-premises consumption provided the patron has purchased a full
98 course meal and consumed a portion of the wine with such meal on
99 the cafe premises. For purposes of this section, "full course meal"
100 means a diversified selection of food which ordinarily cannot be
101 consumed without the use of tableware and which cannot be
102 conveniently consumed while standing or walking.

103 (2) A partially consumed bottle of wine that is to be removed from
104 the premises pursuant to this subsection shall be securely sealed and
105 placed in a bag by the permittee or the permittee's agent or employee
106 prior to removal from the premises.

107 (c) As used in this section, "cafe" means space in a suitable and
108 permanent building, kept, used, maintained, advertised and held out
109 to the public to be a place where alcoholic liquor and food is served for
110 sale at retail for consumption on the premises but which does not
111 necessarily serve hot meals; it shall have no sleeping accommodations

112 for the public and need not necessarily have a kitchen or dining room
113 but shall have employed therein at all times an adequate number of
114 employees.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-22
Sec. 2	<i>from passage</i>	30-22a

Statement of Purpose:

To allow restaurant and cafe permit holders to sell growlers of beer at retail.

[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.]