



House of Representatives

General Assembly

File No. 594

February Session, 2014

Substitute House Bill No. 5538

House of Representatives, April 16, 2014

The Committee on Judiciary reported through REP. FOX, G. of the 146th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING JUICE BARS.

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

1 Section 1. Section 30-22c of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2014*):

3 (a) As used in this section, "juice bar or similar facility" means an
4 area within a permit premises in which nonalcoholic beverages are
5 served to minors, and "permit premises" means premises operated
6 under a cafe permit.

7 (b) The holder of a cafe permit may operate a juice bar or similar
8 facility at a permit premises if the juice bar or similar facility is limited
9 to a room or rooms or separate area within the permit premises
10 wherein there is no sale, consumption, dispensing or presence of
11 alcoholic liquor.

12 [(b)] (c) The holder of a cafe permit shall [notify, in writing, or by
13 facsimile,] provide written notice to the chief law enforcement officer

14 of the town in which such permit premises is located in advance of
15 specific dates and hours of any scheduled event at which the permit
16 premises or a portion thereof will be used [as] to operate a juice bar or
17 similar facility. Such notice shall be sent (1) by certified mail, or by
18 electronic mail to the designated electronic mail address for the chief
19 law enforcement officer, and (2) in a manner so it is received by such
20 chief law enforcement officer not [later than forty-eight hours] less
21 than five days, and not more than thirty days, prior to the date of such
22 scheduled event. The chief law enforcement officer of the town in
23 which such permit premises is located may designate [a] one or more
24 law enforcement [officer] officers to attend any such scheduled event
25 at the cost of such permit holder.

26 [(c)] (d) Nothing in this section shall exempt the holder of a cafe
27 permit from compliance with any other provisions of the general
28 statutes or regulations of Connecticut state agencies concerning
29 minors, including, but not limited to, the prohibition against the sale of
30 alcoholic liquor to minors. The presence of alcoholic liquor or the sale
31 or dispensing to or consumption of alcoholic liquor by a minor at a
32 juice bar or similar facility is prohibited.

33 (e) A permittee or agent or employee of a permittee who operates a
34 juice bar or similar facility at a permit premises may serve alcoholic
35 liquor during the hours of operation of such juice bar or similar facility
36 only to a person who is twenty-one years of age or older and who is
37 wearing a conspicuous wristband that has been issued to the person
38 wearing it by the permittee or agent or employee of the permittee to
39 indicate that the permittee or agent or employee of the permittee has
40 verified that such person is twenty-one years of age or older.

41 (f) Any permittee or agent or employee of a permittee convicted of a
42 violation of any provision of this section shall (1) (A) for a first offense,
43 be fined not more than two thousand five hundred dollars, (B) for a
44 second offense, be fined not more than five thousand dollars, and (C)
45 for a third or subsequent offense, be fined not more than ten thousand
46 dollars, or (2) be imprisoned not more than one year for a first, second,

47 third or subsequent offense, or (3) be both fined and imprisoned.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2014</i>	30-22c

JUD *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:

Agency Affected	Fund-Effect	FY 15 \$	FY 16 \$
Judicial Dept. (Probation); Correction, Dept.	GF - Potential Cost	See Below	See Below
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Municipal Impact: None

Explanation

The bill requires juice bars to serve alcoholic beverages only to those over 21 years old and wearing a wristband and includes penalties for violation of the provision, increasing for each subsequent offense.

To the extent that offenders are prosecuted for new offenses under this bill, potential costs for incarceration or probation supervision in the community, or judicial revenue would result. On average, it costs the agency \$6,050 (including benefits) to supervise an inmate in the community as opposed to \$50,690 (including benefits) to incarcerate an offender.

The bill allows municipal chief law enforcement officers to designate more than one police officer to a juice bar. This has no net fiscal impact as such juice bars are required to reimburse municipalities for any associated cost.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

OLR Bill Analysis

sHB 5538

AN ACT CONCERNING JUICE BARS.

SUMMARY:

This bill prohibits café permit holders, or their agents or employees, who operate juice bars on the premises from serving alcohol to a customer without a wristband showing the customer is of legal drinking age. By law, a “juice bar” is a place where nonalcoholic beverages are served to minors on the premises of a café permit holder. The law allows a café to operate a juice bar in a room or area where alcohol is not sold, consumed, or dispensed.

The bill imposes a specific penalty for violating the law’s juice bar operation requirements, including separate penalties for subsequent violations. Under the bill, the maximum fines range from \$2,500 to \$10,000.

It also:

1. establishes a 25-day window for a café permittee to notify local law enforcement before a scheduled event about operating a juice bar during the event;
2. specifies that the notice must be sent by certified or electronic mail; and
3. allows the chief local law enforcement officer to designate more than one officer to attend the scheduled event, at the permittee’s expense.

EFFECTIVE DATE: July 1, 2014

WRISTBAND REQUIREMENT

Existing law, unchanged by the bill, prohibits the presence of alcohol and bars its sale or dispensing to, or consumption by, an underage person at a juice bar.

Under the bill, a café permittee or his or her agent or employee operating a juice bar on the premises may serve alcohol during the time the juice bar is in operation only to people who (1) are of legal drinking age and (2) wear a conspicuous wristband issued by the permittee, agent, or employee to the wearer. A wristband is issued to a person to show that his or her age has been verified as at least age 21.

NOTICE OF JUICE BAR EVENT

Current law requires a café permittee to notify the chief law enforcement officer of the municipality where the café is located, in writing, when the café premises will have a juice bar during an upcoming scheduled event. The notice must be made at least 48 hours before the event.

The bill establishes a window, during which notice must occur, of between 30 and five days before the scheduled event. It specifies that the notice must be sent (1) by certified mail or electronic mail to the designated electronic mail address for the chief law enforcement officer and (2) in a way to ensure it is timely received by the officer.

PENALTIES

Under current law, violating the juice bar operation requirements is punishable by a fine of up to \$1,000, up to one year imprisonment, or both (CGS § 30-113).

The bill increases the fine amounts, based on whether it is a first or subsequent offense. Under the bill, the maximum fines are:

1. \$2,500 for a first offense,
2. \$5,000 for a second offense, and
3. \$10,000 for a third or subsequent offense.

The bill also retains the maximum one year prison term for any violation.

COMMITTEE ACTION

Judiciary Committee

Joint Favorable Substitute

Yea 38 Nay 0 (03/28/2014)