



General Assembly

Amendment

January Session, 2015

LCO No. 6831



Offered by:

REP. BARAM, 15th Dist.

REP. CARTER, 2nd Dist.

To: Subst. House Bill No. 6885

File No. 383

Cal. No. 239

**"AN ACT PERMITTING RESTAURANT, CAFE AND TAVERN
ALCOHOLIC LIQUOR PERMIT HOLDERS TO SELL GROWLERS
OF BEER AT RETAIL."**

1 Strike everything after the enacting clause and substitute the
2 following in lieu thereof:

3 "Section 1. Section 30-22 of the general statutes is repealed and the
4 following is substituted in lieu thereof (*Effective from passage*):

5 (a) A restaurant permit shall allow the retail sale of alcoholic liquor
6 to be consumed on the premises of a restaurant. A restaurant patron
7 shall be allowed to remove one unsealed bottle of wine for off-
8 premises consumption provided the patron has purchased such bottle
9 of wine at such restaurant and has purchased a full course meal at
10 such restaurant and consumed a portion of the bottle of wine with
11 such meal on such restaurant premises. For the purposes of this
12 section, "full course meal" means a diversified selection of food which
13 ordinarily cannot be consumed without the use of tableware and

14 which cannot be conveniently consumed while standing or walking. A
15 restaurant permit, with prior approval of the Department of Consumer
16 Protection, shall allow alcoholic liquor to be served at tables in outside
17 areas which are screened or not screened from public view where
18 permitted by fire, zoning and health regulations. If not required by
19 fire, zoning or health regulations, a fence or wall enclosing such
20 outside areas shall not be required by the Department of Consumer
21 Protection. No fence or wall used to enclose such outside areas shall be
22 less than thirty inches high. Such permit shall also authorize the sale at
23 retail from the premises of sealed containers supplied and filled by the
24 permittee with draught beer for consumption off the premises. Such
25 sales shall be conducted only during the hours a package store is
26 permitted to sell alcoholic liquor under the provisions of subsection (d)
27 of section 30-91. Not more than four liters of such beer shall be sold to
28 any person on any day on which the sale of alcoholic liquor is
29 authorized under the provisions of subsection (d) of section 30-91. The
30 annual fee for a restaurant permit shall be one thousand four hundred
31 fifty dollars.

32 (b) A restaurant permit for beer shall allow the retail sale of beer
33 and of cider not exceeding six per cent of alcohol by volume to be
34 consumed on the premises of a restaurant. Such permit shall also
35 authorize the sale at retail from the premises of sealed containers
36 supplied and filled by the permittee with draught beer for
37 consumption off the premises. Such sales shall be conducted only
38 during the hours a package store is permitted to sell alcoholic liquor
39 under the provisions of subsection (d) of section 30-91. Not more than
40 four liters of such beer shall be sold to any person on any day on which
41 the sale of alcoholic liquor is authorized under the provisions of
42 subsection (d) of section 30-91. The annual fee for a restaurant permit
43 for beer shall be three hundred dollars.

44 (c) A restaurant permit for wine and beer shall allow the retail sale
45 of wine and beer and of cider not exceeding six per cent of alcohol by
46 volume to be consumed on the premises of the restaurant. A restaurant

47 patron may remove one unsealed bottle of wine for off-premises
48 consumption provided the patron has purchased a full course meal
49 and consumed a portion of the bottle of wine with such meal on the
50 restaurant premises. Such permit shall also authorize the sale at retail
51 from the premises of sealed containers supplied and filled by the
52 permittee with draught beer for consumption off the premises. Such
53 sales shall be conducted only during the hours a package store is
54 permitted to sell alcoholic liquor under the provisions of subsection (d)
55 of section 30-91. Not more than four liters of such beer shall be sold to
56 any person on any day on which the sale of alcoholic liquor is
57 authorized under the provisions of subsection (d) of section 30-91. The
58 annual fee for a restaurant permit for wine and beer shall be seven
59 hundred dollars.

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

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

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

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

73 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
74 consumed on the premises of a cafe. Premises operated under a cafe
75 permit shall regularly keep food available for sale to its customers for
76 consumption on the premises. The availability of sandwiches, soups or
77 other foods, whether fresh, processed, precooked or frozen, shall be

78 deemed compliance with this requirement. The licensed premises shall
79 at all times comply with all the regulations of the local department of
80 health. Nothing herein shall be construed to require that any food be
81 sold or purchased with any liquor, nor shall any rule, regulation or
82 standard be promulgated or enforced requiring that the sale of food be
83 substantial or that the receipts of the business other than from the sale
84 of liquor equal any set percentage of total receipts from sales made
85 therein. A cafe permit shall allow, with the prior approval of the
86 Department of Consumer Protection, alcoholic liquor to be served at
87 tables in outside areas that are screened or not screened from public
88 view where permitted by fire, zoning and health regulations. If not
89 required by fire, zoning or health regulations, a fence or wall enclosing
90 such outside areas shall not be required by the Department of
91 Consumer Protection. No fence or wall used to enclose such outside
92 areas shall be less than thirty inches high. Such permit shall also
93 authorize the sale at retail from the premises of sealed containers
94 supplied and filled by the permittee with draught beer for
95 consumption off the premises. Such sales shall be conducted only
96 during the hours a package store is permitted to sell alcoholic liquor
97 under the provisions of subsection (d) of section 30-91. Not more than
98 four liters of such beer shall be sold to any person on any day on which
99 the sale of alcoholic liquor is authorized under the provisions of
100 subsection (d) of section 30-91. The annual fee for a cafe permit shall be
101 two thousand dollars.

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

109 (2) A partially consumed bottle of wine that is to be removed from
110 the premises pursuant to this subsection shall be securely sealed and

111 placed in a bag by the permittee or the permittee's agent or employee
112 prior to removal from the premises.

113 (c) As used in this section, "cafe" means space in a suitable and
114 permanent building, kept, used, maintained, advertised and held out
115 to the public to be a place where alcoholic liquor and food is served for
116 sale at retail for consumption on the premises but which does not
117 necessarily serve hot meals; it shall have no sleeping accommodations
118 for the public and need not necessarily have a kitchen or dining room
119 but shall have employed therein at all times an adequate number of
120 employees.

121 Sec. 3. Section 30-26 of the general statutes is repealed and the
122 following is substituted in lieu thereof (*Effective from passage*):

123 A tavern permit shall allow the retail sale of beer and of cider not
124 exceeding six per cent of alcohol by volume and wine to be consumed
125 on the premises of a tavern with or without the sale of food. "Tavern"
126 means a place where beer and wine are sold under a tavern permit.
127 Such permit shall also authorize the sale at retail from the premises of
128 sealed containers supplied and filled by the permittee with draught
129 beer for consumption off the premises. Such sales shall be conducted
130 only during the hours a package store is permitted to sell alcoholic
131 liquor under the provisions of subsection (d) of section 30-91. Not
132 more than four liters of such beer shall be sold to any person on any
133 day on which the sale of alcoholic liquor is authorized under the
134 provisions of subsection (d) of section 30-91. The annual fee for a
135 tavern permit shall be three hundred dollars.

136 Sec. 4. (NEW) (*Effective from passage*) The holder of a manufacturer
137 permit issued pursuant to section 30-16 of the general statutes, a
138 wholesaler permit issued pursuant to section 30-17 of the general
139 statutes or an out-of-state shipper's permit for beer issued pursuant to
140 section 30-19 of the general statutes shall not supply the holder of a
141 permit issued pursuant to section 30-22 of the general statutes, as
142 amended by this act, section 30-22a of the general statutes, as amended

143 by this act, or section 30-26 of the general statutes, as amended by this
 144 act, with containers to be filled with draught beer for consumption off
 145 premises pursuant to sections 30-22 of the general statutes, as
 146 amended by this act, 30-22a of the general statutes, as amended by this
 147 act, and 30-26 of the general statutes, as amended by this act, or with
 148 any draught system components, other than tapping accessories used
 149 in conjunction with a draught system."

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
Sec. 3	<i>from passage</i>	30-26
Sec. 4	<i>from passage</i>	New section