



General Assembly

January Session, 2019

Raised Bill No. 7184

LCO No. 4577



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING THE LIQUOR CONTROL ACT.

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

1 Section 1. Section 30-14a of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective July 1, 2019, and*
3 *applicable to new package store permits issued on and after said date*):

4 A package store permit may be renewed by the person to whom it
5 was issued or by any person who is a transferee or purchaser of
6 premises operating under a package store permit and who meets the
7 requirements of this chapter concerning eligibility for a liquor permit.
8 Commencing June 8, 1986, the Department of Consumer Protection
9 may issue one package store permit for every [twenty-five hundred]
10 five thousand residents of a town as determined by the most recently
11 completed decennial census. The department may authorize the holder
12 of such permit to remove his permit premises to a location in another
13 town provided such removal complies with the provisions of this
14 chapter.

15 Sec. 2. (NEW) (*Effective from passage*) (a) The holder of a

16 manufacturer permit for beer issued pursuant to subsection (b) of
17 section 30-16 of the general statutes, as amended by this act, the holder
18 of a manufacturer permit for cider issued pursuant to subsection (c) of
19 section 30-16 of the general statutes, as amended by this act, the holder
20 of a manufacturer permit for a farm winery issued pursuant to
21 subsection (e) of section 30-16 of the general statutes, as amended by
22 this act, the holder of a manufacturer permit for a brew pub issued
23 pursuant to subsection (g) of section 30-16 of the general statutes, as
24 amended by this act, or the holder of a manufacturer permit for beer
25 and brew pub issued pursuant to subsection (h) of section 30-16 of the
26 general statutes, as amended by this act, may conduct special event
27 catering on the permit premises, subject to regulations adopted
28 pursuant to subsection (b) of this section. A municipality may, by
29 ordinance or zoning regulation, prohibit any such special event
30 catering at premises within such town for which a manufacturer
31 permit for beer or a manufacturer permit for a farm winery has been
32 issued.

33 (b) The Department of Consumer Protection shall adopt regulations,
34 in accordance with the provisions of chapter 54 of the general statutes,
35 to implement the provisions of subsection (a) of this section. Such
36 regulations shall define "special event" and shall impose a fee of five
37 hundred dollars annually upon each permittee allowed to conduct
38 special event catering pursuant to subsection (a) of this section.

39 Sec. 3. Section 30-48a of the general statutes is repealed and the
40 following is substituted in lieu thereof (*Effective July 1, 2019*):

41 (a) No person, and no backer as defined in section 30-1, as amended
42 by this act, shall, except as provided in this section, acquire an interest
43 in more than four alcoholic beverage retail permits, except that on and
44 after July 1, 2016, such person or backer may acquire an interest in no
45 more than [five] ten alcoholic beverage retail permits, but nothing in
46 this section shall (1) require any such person who had, on June 8, 1981,
47 such interest in more than two such permits to surrender, dispose of or
48 release his or her interest in any such permit or permits nor shall it

49 affect his or her right to continue to hold, use and renew such permits,
50 or (2) prohibit any such person who had, on June 8, 1981, such interest
51 in more than two such permits from transferring his or her interest in
52 such permits by inter vivos or testamentary disposition, including
53 living trusts, to his or her spouse or child, or such spouse's or child's
54 living trust or prohibit such spouse or child from accepting such a
55 transfer notwithstanding that such spouse or child may already hold
56 another permit issued under the provisions of this chapter. Any such
57 permit so transferred may be renewed by such transferee under the
58 provisions of section 30-14, as amended by this act. Except as provided
59 in subdivision (1) of this subsection, a person shall be deemed to
60 acquire an interest in a retail permit if an interest is owned by such
61 person, such person's spouse, children, partners, or an estate, trust, or
62 corporation controlled by such person or such person's spouse,
63 children, or any combination thereof. The provisions of this subsection
64 shall apply to any such interest without regard to whether such
65 interest is a controlling interest. For the purposes of this subsection,
66 "person" means (A) an individual, (B) a corporation or any subsidiary
67 of a corporation, or (C) any combination of corporations or individuals
68 any of whom, or any combination of whom, owns or controls, directly
69 or indirectly, more than five per cent of any entity which is a backer as
70 defined in said section 30-1, as amended by this act.

71 (b) A retail permit for the purposes of subsection (a) of this section
72 means a package store liquor permit or a druggist liquor permit.

73 (c) Membership in any organization which is or may become the
74 holder of a club permit shall not constitute acquisition of an interest in
75 a retail permit.

76 (d) Any person who violates any provision of this section or of any
77 regulation adopted pursuant to this section shall be fined not less than
78 fifty dollars nor more than two hundred fifty dollars and any permit
79 issued in violation of this section shall be revoked.

80 Sec. 4. Subsection (c) of section 30-68m of the general statutes is

81 repealed and the following is substituted in lieu thereof (*Effective July*
82 *1, 2019*):

83 (c) Notwithstanding the provisions of subsection (b) of this section,
84 a retail permittee may sell [one] ten beer [item] items identified by [a
85 stock-keeping unit number or one item] brand and size and ten items
86 of alcoholic liquor other than beer identified by [a stock-keeping unit
87 number] brand and size below his or her cost each month, provided
88 the [item is] items are not sold at less than ninety per cent of such retail
89 permittee's cost. A retail permittee who intends to sell [an item] items
90 below cost pursuant to this subsection shall notify the Department of
91 Consumer Protection of such sale not later than the second day of the
92 month such [item] items will be offered for sale.

93 Sec. 5. Subdivision (6) of section 30-1 of the general statutes is
94 repealed and the following is substituted in lieu thereof (*Effective July*
95 *1, 2019*):

96 (6) (A) "Case price" means the price of a container of cardboard,
97 wood or other material, containing units of the same size [, brand, age
98 and proof] and class of alcoholic liquor, and (B) a case of alcoholic
99 liquor, other than beer, cordials, cocktails, wines and prepared mixed
100 drinks, shall be in the number and quantity, or fewer, with the
101 permission of the Commissioner of Consumer Protection, of units or
102 bottles as follows: (i) Six one thousand seven hundred fifty milliliter
103 bottles; (ii) twelve one liter bottles; (iii) twelve seven hundred fifty
104 milliliter bottles; (iv) twenty-four three hundred seventy-five milliliter
105 bottles; (v) forty-eight two hundred milliliter bottles; (vi) sixty one
106 hundred milliliter bottles; or (vii) one hundred twenty fifty milliliter
107 bottles, except a case of fifty milliliter bottles may be in a number and
108 quantity as originally configured, packaged and sold by the
109 manufacturer or out-of-state shipper prior to shipment, provided such
110 number of bottles does not exceed two hundred. The commissioner
111 shall not authorize fewer numbers or quantities of units or bottles as
112 specified in this subdivision for any one person or entity more than
113 four times in any calendar year. For purposes of this subdivision,

114 "class" shall have the meaning specified in the 27 CFR 5.22, as
115 amended, for spirits, in the 27 CFR 4.21, as amended, for wine and in
116 the 27 CFR, as amended, for beer.

117 Sec. 6. Section 30-68l of the general statutes is repealed and the
118 following is substituted in lieu thereof (*Effective July 1, 2019*):

119 (a) No wholesaler permittee shall sell to any purchaser holding a
120 permit for the sale of alcoholic liquor for on or off premises
121 consumption at a price which is below such wholesaler permittee's
122 cost. For the purposes of this section, "cost" means: (1) On domestic
123 alcoholic liquor bottled in the state, the total of (A) the cost of all
124 ingredients, (B) all transportation charges from the point of origin to
125 the point of destination, (C) all applicable federal and state taxes, and
126 (D) the cost of containers, labels, caps, closures and all bottling charges
127 and labor; (2) on imported alcoholic liquor bottled in the state, the total
128 of (A) the invoice price from the supplier, (B) all other ingredients, (C)
129 the cost of duties, (D) all applicable federal and state taxes, (E)
130 insurance, (F) ocean freight and brokerage charges, (G) all
131 transportation charges, and (H) the cost of containers, labels, caps,
132 closures and all bottling charges and labor; (3) on domestic alcoholic
133 liquors not bottled in this state, the total of (A) the posted price from
134 the supplier to the wholesaler, (B) the cost of shipping or delivery
135 charges to the wholesaler's place of business which were paid by the
136 wholesaler in addition to the posted price, and (C) all applicable
137 federal and state taxes paid by the wholesaler in addition to the posted
138 price; (4) on imported alcoholic liquor not bottled in the state, the total
139 of (A) the posted price from the supplier, (B) the cost of duties,
140 insurance, ocean freight and brokerage charges and transportation
141 charges paid by the wholesaler in addition to the posted price, and (C)
142 all applicable federal and state taxes paid by the wholesaler in addition
143 to the posted price. The provisions of this section shall not apply to
144 sales of wine.

145 (b) Subject to prior approval from a manufacturer permittee or out-
146 of-state shipper permittee, a wholesaler permittee may package and

147 sell to a retail permittee a nonuniform case, containing bottles only of
148 one class of alcoholic liquor, if the wholesaler holds the exclusive
149 rights to all bottles in such nonuniform case. A wholesaler who does
150 not hold exclusive rights to a given brand trademark may sell to a
151 retail permittee a nonuniform case containing bottles only of one class
152 of alcoholic liquor, provided all of the bottles in such nonuniform case
153 are available to all nonexclusive wholesalers who also have rights to
154 the given brand trademarks.

155 Sec. 7. Section 30-63 of the general statutes is repealed and the
156 following is substituted in lieu thereof (*Effective July 1, 2019*):

157 (a) No holder of any manufacturer, wholesaler or out-of-state
158 shipper's permit shall ship, transport or deliver within this state, or sell
159 or offer for sale, any alcoholic liquors, except for beer manufactured by
160 a permittee in this state and sold for consumption only on the
161 permittee's premises, unless the name of the brand, trade name or
162 other distinctive characteristic by which such alcoholic liquors are
163 bought and sold, the name and address of the manufacturer thereof
164 and the name and address of each wholesaler permittee who is
165 authorized by the manufacturer or his authorized representative to sell
166 such alcoholic liquors are registered with the Department of Consumer
167 Protection and until such brand, trade name or other distinctive
168 characteristic has been approved by the department. Such registration
169 shall be valid for a period of three years. The fee for such registration,
170 or renewal thereof, shall be two hundred dollars for out-of-state
171 shippers and fifteen dollars for Connecticut manufacturers for each
172 brand so registered, payable by the manufacturer or such
173 manufacturer's authorized representative when such liquors are
174 manufactured in the United States and by the importer or such
175 importer's authorized representative when such liquors are imported
176 into the United States. The department shall not approve the brand
177 registration of any fortified wine, as defined in section 12-433, which is
178 labeled, packaged or canned so as to appear to be a wine or liquor
179 cooler, as defined in section 12-433.

180 (b) No manufacturer, wholesaler or out-of-state shipper permittee
181 shall discriminate in any manner in price discounts between one
182 permittee and another on sales or purchases of alcoholic liquors
183 bearing the same brand or trade name and of like age, size and quality,
184 nor shall such manufacturer, wholesaler or out-of-state shipper
185 permittee allow in any form any discount, rebate, free goods,
186 allowance or other inducement for the purpose of making sales or
187 purchases. Nothing in this subsection shall be construed to prohibit
188 beer manufacturers, beer wholesalers or beer out-of-state shipper
189 permittees from differentiating in the manner in which their products
190 are packaged on the basis of on-site or off-site consumption.

191 (c) For alcoholic liquor other than beer, each manufacturer,
192 wholesaler and out-of-state shipper permittee shall post with the
193 department, on a monthly basis, the bottle, can and case price of any
194 brand of goods offered for sale in Connecticut, which price when so
195 posted shall be the controlling price for such manufacturer, wholesaler
196 or out-of-state permittee for the month following such posting. On and
197 after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-
198 state shipper permittee shall post with the department, on a monthly
199 basis, the bottle, can and case price, and the price per keg or barrel or
200 fractional unit thereof for any brand of goods offered for sale in
201 Connecticut which price when so posted shall be the controlling price
202 for such brand of goods offered for sale in this state for the month
203 following such posting. Such manufacturer, wholesaler and out-of-
204 state shipper permittee may also post additional prices for such bottle,
205 can, case, keg or barrel or fractional unit thereof for a specified portion
206 of the following month which prices when so posted shall be the
207 controlling prices for such bottle, can, case, keg or barrel or fractional
208 unit thereof for such specified portion of the following month. Notice
209 of all manufacturer, wholesaler and out-of-state shipper permittee
210 prices shall be given to permittee purchasers by direct mail, Internet
211 web site or advertising in a trade publication having circulation among
212 the retail permittees except a wholesaler permittee may give such
213 notice by hand delivery. Price postings with the department setting

214 forth wholesale prices to retailers shall be available for inspection
215 during regular business hours at the offices of the department by
216 manufacturers and wholesalers until three o'clock p.m. of the first
217 business day after the last day for posting prices. A manufacturer or
218 wholesaler may amend such manufacturer's or wholesaler's posted
219 price for any month to meet a lower price posted by another
220 manufacturer or wholesaler with respect to alcoholic liquor bearing the
221 same brand or trade name and of like age, vintage, quality and unit
222 container size; provided that any such amended price posting shall be
223 filed before three o'clock p.m. of the fourth business day after the last
224 day for posting prices; and provided further such amended posting
225 shall not set forth prices lower than those being met. Any
226 manufacturer or wholesaler posting an amended price shall, at the
227 time of posting, identify in writing the specific posting being met. On
228 and after July 1, 2005, all wholesaler postings, other than for beer, for
229 the following month shall be provided to retail permittees not later
230 than the twenty-seventh day of the month prior to such posting. All
231 wholesaler postings for beer shall be provided to retail permittees not
232 later than the twentieth day of the month prior to such posting.

233 (d) Monthly price postings for a nonuniform case of alcoholic liquor
234 shall contain the bottle price for each item contained in the nonuniform
235 case, the unit price and the case price. The bottle price posted for a
236 nonuniform case shall be equal to the bottle price posted for the same
237 month for a case containing one class and brand of alcoholic liquor.

238 Sec. 8. (NEW) (*Effective July 1, 2019*) A manufacturer permit for
239 mead shall be in all respects the same as a manufacturer permit issued
240 pursuant to subsection (a) of section 30-16 of the general statutes, as
241 amended by this act, except that the scope of operations of the holder
242 shall be limited to mead, but shall permit the storage of mead in any
243 part of the state. Such permit shall also authorize the offering and
244 tasting, on the premises of the permittee, of free samples of mead
245 brewed on such premises and the selling at retail from the premises of
246 sealed bottles or other sealed containers of such mead for consumption
247 off the premises. The offering and tasting may be limited to visitors

248 who have attended a tour of the premises of the permittee. Such selling
249 at retail from the premises of sealed bottles or other sealed containers
250 shall comply with the provisions of subsection (d) of section 30-91 of
251 the general statutes for manufacturer permits for beer. The annual fee
252 for a manufacturer permit for mead shall be five hundred dollars.

253 Sec. 9. Section 30-16 of the general statutes is repealed and the
254 following is substituted in lieu thereof (*Effective July 1, 2019*):

255 (a) A manufacturer permit shall allow the manufacture of alcoholic
256 liquor and the storage, bottling and wholesale distribution and sale of
257 alcoholic liquor manufactured or bottled to permittees in this state and
258 without the state as may be permitted by law; but no such permit shall
259 be granted unless the place or the plan of the place of manufacture has
260 received the approval of the Department of Consumer Protection. The
261 holder of a manufacturer permit who produces less than [twenty-five]
262 one hundred thousand gallons of alcoholic liquor in a calendar year
263 may sell at retail from the premises sealed bottles or other sealed
264 containers of alcoholic liquor manufactured on the premises for
265 consumption off the premises, provided such holder shall not sell to
266 any one consumer more than one and one-half liters of alcoholic liquor
267 per day nor more than five gallons of alcoholic liquor in any two-
268 month period. Retail sales by a holder of a manufacturer permit shall
269 occur only on the days and times permitted under subsection (d) of
270 section 30-91. A holder of a manufacturer permit, alone or in
271 combination with any parent or subsidiary business or related or
272 affiliated party, who sells more than ten thousand gallons of alcoholic
273 liquor in any calendar year may not sell alcoholic liquor at wholesale
274 to retail permittees within this state. Such permit shall also authorize
275 the offering and tasting, on the premises of the permittee, of free
276 samples of spirits distilled on the premises. Tastings shall not exceed
277 two ounces per patron per day and shall not be allowed on such
278 premises on Sunday before eleven o'clock a.m. and after eight o'clock
279 p.m. and on any other day before ten o'clock a.m. and after eight
280 o'clock p.m. No tastings shall be offered to or allowed to be consumed
281 by any minor or intoxicated person. A holder of a manufacturer permit

282 may apply for and shall receive an out-of-state shipper's permit for
283 manufacturing plants and warehouse locations outside the state
284 owned by such manufacturer or a subsidiary corporation thereof, at
285 least eighty-five per cent of the voting stock of which is owned by such
286 manufacturer, to bring into any of its plants or warehouses in the state
287 alcoholic liquors for reprocessing, repackaging, reshipment or sale
288 either (1) within the state to wholesaler permittees not owned or
289 controlled by such manufacturer, or (2) outside the state. The annual
290 fee for a manufacturer permit shall be one thousand eight hundred
291 fifty dollars.

292 (b) A manufacturer permit for beer shall be in all respects the same
293 as a manufacturer permit, except that the scope of operations of the
294 holder shall be limited to beer, but shall permit the storage of beer in
295 any part of the state. Such permit shall also authorize the offering and
296 tasting, on the premises of the permittee, of free samples of beer
297 brewed on such premises and the selling at retail from the premises of
298 sealed bottles or other sealed containers of such beer for consumption
299 off the premises. The offering and tasting may be limited to visitors
300 who have attended a tour of the premises of the permittee. Such selling
301 at retail from the premises of sealed bottles or other sealed containers
302 shall comply with the provisions of subsection (d) of section 30-91,
303 [and shall permit not more than nine liters of beer to be sold to any
304 person on any day on which such sale is authorized under the
305 provisions of subsection (d) of section 30-91.] The annual fee for a
306 manufacturer permit for beer shall be one thousand dollars.

307 (c) A manufacturer permit for cider not exceeding six per cent
308 alcohol by volume and apple wine not exceeding fifteen per cent
309 alcohol by volume shall allow (1) the manufacture, storage, bottling
310 and wholesale distribution and sale at retail of such cider and apple
311 wine to permittees and nonpermittees in this state as may be permitted
312 by law; but no such permit shall be issued unless the place or the plan
313 of the place of manufacture has received the approval of the
314 department; (2) the sale and shipment by the holder of such permit of
315 such cider and such apple wine to persons outside the state and to

316 consumers in this state in the same manner and subject to the same
317 conditions as such sale and shipment is permitted for wine by a farm
318 winery manufacturer permittee pursuant to subsection (e) of this
319 section; [and] (3) the offering and tasting, on the premises of the
320 permittee, of free samples of cider and apple wine manufactured on
321 such premises; and (4) the sale at retail on the premises of such cider
322 and apple wine by the glass and bottle to visitors on the premises for
323 consumption on the premises. Tastings shall not exceed two ounces
324 per patron and shall not be allowed on such premises on Sunday
325 before eleven o'clock a.m. and after eight o'clock p.m. and on any other
326 day before ten o'clock a.m. and after eight o'clock p.m. No tasting shall
327 be offered to or allowed to be consumed by any minor or intoxicated
328 person. Offerings and tastings may be limited to visitors who have
329 attended a tour of the premises of the permittee. The annual fee for a
330 manufacturer permit for cider shall be two hundred dollars.

331 (d) A manufacturer permit for apple brandy and eau-de-vie shall be
332 in all respects the same as a manufacturer permit, except that the scope
333 of operations of the holder shall be limited to apple brandy or eau-de-
334 vie, or both. The annual fee for a manufacturer permit for apple
335 brandy and eau-de-vie shall be four hundred dollars.

336 (e) (1) A manufacturer permit for a farm winery shall be in all
337 respects the same as a manufacturer permit, except that the scope of
338 operations of the holder shall be limited to wine and brandies distilled
339 from grape products or other fruit products, including grappa and
340 eau-de-vie. As used in this section, "farm winery" means any place or
341 premises that is located on a farm in the state in which wine is
342 manufactured and sold.

343 (2) Such permit shall, at the single principal premises of the farm
344 winery, authorize (A) the sale in bulk by the holder thereof from the
345 premises where the products are manufactured pursuant to such
346 permit; (B) as to a manufacturer who produces one hundred thousand
347 gallons of wine or less per year, the sale and shipment by the holder
348 thereof to a retailer of wine manufactured by the farm winery

349 permittee in the original sealed containers of not more than fifteen
350 gallons per container; (C) the sale and shipment by the holder thereof
351 of wine manufactured by the farm winery permittee to persons outside
352 the state; (D) the offering and tasting of free samples of such wine or
353 brandy, dispensed out of bottles or containers having capacities of not
354 more than two gallons per bottle or container, to visitors and
355 prospective retail customers for consumption on the premises of the
356 farm winery permittee; (E) the sale at retail from the premises of sealed
357 bottles or other sealed containers of such wine or brandy for
358 consumption off the premises; (F) the sale at retail from the premises of
359 wine or brandy or beer manufactured by the holder of a permit issued
360 pursuant to subsection (b), (f), (g) or (h) of this section by the glass and
361 bottle to visitors on the premises of the farm winery permittee for
362 consumption on the premises; and (G) subject to the provisions of
363 subdivision (3) of this subsection, the sale and delivery or shipment of
364 wine manufactured by the permittee directly to a consumer in this
365 state. Notwithstanding the provisions of subparagraphs (D), (E) and
366 (F) of this subdivision, a town may, by ordinance or zoning regulation,
367 prohibit any such offering, tasting or selling at retail at premises within
368 such town for which a manufacturer permit for a farm winery has been
369 issued.

370 (3) A permittee, when selling and shipping wine directly to a
371 consumer in this state, shall: (A) Ensure that the shipping labels on all
372 containers of wine shipped directly to a consumer in this state
373 conspicuously state the following: "CONTAINS ALCOHOL—
374 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
375 DELIVERY"; (B) obtain the signature of a person age twenty-one or
376 older at the address prior to delivery, after requiring the signer to
377 demonstrate that he or she is age twenty-one or older by providing a
378 valid motor vehicle operator's license or a valid identity card described
379 in section 1-1h; (C) not ship more than five gallons of wine in any two-
380 month period to any person in this state; (D) pay, to the Department of
381 Revenue Services, all sales taxes and alcoholic beverage taxes due
382 under chapters 219 and 220 on sales of wine to consumers in this state,

383 and file, with said department, all sales tax returns and alcoholic
384 beverage tax returns relating to such sales; (E) report to the
385 Department of Consumer Protection a separate and complete record of
386 all sales and shipments to consumers in the state, on a ledger sheet or
387 similar form which readily presents a chronological account of such
388 permittee's dealings with each such consumer; (F) not ship to any
389 address in the state where the sale of alcoholic liquor is prohibited by
390 local option pursuant to section 30-9; and (G) hold an in-state
391 transporter's permit pursuant to section 30-19f or make any such
392 shipment through the use of a person who holds such an in-state
393 transporter's permit.

394 (4) No licensed farm winery may sell any such wine or brandy not
395 manufactured by such winery, except a licensed farm winery may sell
396 from the premises (A) wine manufactured by another farm winery
397 located in this state, and (B) brandy manufactured from fruit harvested
398 in this state and distilled off the premises in this state.

399 (5) The farm winery permittee shall grow on the premises of the
400 farm winery or on property under the same ownership and control of
401 said permittee or leased by the backer of a farm winery permit or by
402 said permittee within the farm winery's principal state an average crop
403 of fruit equal to not less than twenty-five per cent of the fruit used in
404 the manufacture of the farm winery permittee's wine. An average crop
405 shall be defined each year as the average yield of the farm winery
406 permittee's two largest annual crops out of the preceding five years,
407 except that during the first seven years from the date of issuance of a
408 farm winery permit, an average crop shall be defined as three tons of
409 grapes for each acre of vineyard farmed by the farm winery permittee.
410 Such seven-year period shall not begin anew if the property for which
411 the farm winery permit is held is transferred or sold during such
412 seven-year period. In the event the farm winery consists of more than
413 one property, the aggregate acreage of the farm winery shall not be
414 less than five acres.

415 (6) A holder of a manufacturer permit for a farm winery, when

416 advertising or offering wine for direct shipment to a consumer in this
417 state via the Internet or any other on-line computer network, shall
418 clearly and conspicuously state such liquor permit number in its
419 advertising.

420 (7) A holder of a manufacturer permit for a farm winery may sell
421 and offer free tastings of wine manufactured from such winery at a
422 farmers' market, as defined in section 22-6r, that is operated as a
423 nonprofit enterprise or association, provided such farmers' market
424 invites such holder to sell wine at such farmers' market and such
425 holder has a farmers' market wine sales permit issued by the
426 Commissioner of Consumer Protection in accordance with the
427 provisions of subsection (a) of section 30-37o.

428 (8) The annual fee for a manufacturer permit for a farm winery shall
429 be three hundred dollars.

430 (f) (1) A manufacturer permit for a farm brewery shall be in all
431 respects the same as a manufacturer permit, except that the scope of
432 operations of the holder shall be limited to the production of not more
433 than seventy-five thousand gallons of beer in a calendar year. As used
434 in this section, "farm brewery" means any place or premises that is
435 located on a farm in the state in which beer is manufactured and sold.

436 (2) Such permit shall, at the single principal premises of the farm
437 brewery, authorize (A) the sale of sealed bottles or other sealed
438 containers of beer brewed on such premises to the holder of a
439 wholesaler permit issued pursuant to section 30-17; (B) the offering
440 and tasting of free samples of beer manufactured by the farm brewery
441 permittee, dispensed out of bottles or other sealed containers to
442 visitors and prospective retail customers for consumption on the
443 premises of the farm brewery permittee; (C) the sale at retail from the
444 premises of not more than nine liters of such beer to any person per
445 day, in sealed bottles or other sealed containers, for consumption off
446 the premises; and (D) the sale at retail from the premises of beer or of
447 wine manufactured by the holder of a permit issued pursuant to

448 subsection (e) of this section by the glass and bottle to visitors on the
449 premises of the farm brewery permittee for consumption on the
450 premises. Notwithstanding the provisions of subparagraphs (A) to (D),
451 inclusive, of this subdivision, a town may, by ordinance or zoning
452 regulation, prohibit any such offering, tasting or selling at retail at
453 premises within such town for which a manufacturer permit for a farm
454 brewery has been issued.

455 (3) The farm brewery permittee shall use not less than twenty-five
456 per cent of a combination of hops, barley, cereal grains, honey, flowers
457 or other fermentables grown or malted within the state of Connecticut
458 in the manufacture of the farm brewery permittee's beer for the first
459 year of issuance for any such permit and not less than fifty per cent of
460 such hops, barley, cereal grains, honey, flowers or other fermentables
461 in the manufacture of the farm brewery permittee's beer for the second
462 and any subsequent year of issuance for any such permit. Any such
463 beer may be advertised and sold by the farm brewery permittee as
464 "Connecticut Craft Beer".

465 (4) A holder of a manufacturer permit for a farm brewery may sell
466 beer manufactured from such brewery at a farmers' market, as defined
467 in section 22-6r, that is operated as a nonprofit enterprise or
468 association, provided such farmers' market invites such holder to sell
469 beer at such farmers' market and such holder has a farmers' market
470 beer sales permit issued by the Commissioner of Consumer Protection
471 in accordance with the provisions of subsection (a) of section 30-37r.

472 (5) The annual fee for a manufacturer permit for a farm brewery
473 shall be three hundred dollars.

474 (g) A manufacturer permit for a brew pub shall allow: (1) The
475 manufacture, storage and bottling of beer, (2) the retail sale of alcoholic
476 liquor, including wine manufactured by the holder of a permit issued
477 pursuant to subsection (e) of this section, to be consumed on the
478 premises with or without the sale of food, (3) the selling at retail from
479 the premises of sealed bottles or other sealed containers of beer brewed

480 on such premises for consumption off the premises, and (4) the sale of
481 sealed bottles or other sealed containers of beer brewed on such
482 premises to the holder of a wholesaler permit issued pursuant to
483 subsection (b) of section 30-17, provided that the holder of a
484 manufacturer permit for a brew pub produces at least five thousand
485 gallons of beer on the premises annually. Such selling at retail from the
486 premises of sealed bottles or other sealed containers shall comply with
487 the provisions of subsection (d) of section 30-91 and shall permit not
488 more than nine liters of beer to be sold to any person on any day on
489 which such sale is authorized under the provisions of subsection (d) of
490 section 30-91. The annual fee for a manufacturer permit for a brew pub
491 shall be three hundred dollars.

492 (h) A manufacturer permit for beer and brew pub shall be in all
493 respects the same as a manufacturer permit for beer, as defined in
494 subsection (b) of this section, and shall allow those additional
495 permissible uses specified in the manufacturer permit for a brew pub,
496 as defined in subsection (g) of this section, provided the holder of a
497 manufacturer permit for beer and brew pub produces at least five
498 thousand gallons of beer on the premises annually. The annual fee for
499 a manufacturer permit for beer and brew pub shall be one thousand
500 five hundred dollars.

501 (i) (1) A manufacturer permit for a farm distillery shall be in all
502 respects the same as a manufacturer permit, except that the scope of
503 operations of the holder shall be limited to the production of not more
504 than ten thousand gallons per calendar year of distilled alcohol or
505 spirits including, but not limited to, whiskey, gin, vodka and rum. As
506 used in this section, "farm distillery" means any place or premises that
507 is located on a farm in the state in which distilled spirits or alcohol are
508 manufactured and sold.

509 (2) Such permit shall, at the single principal premises of the farm
510 distillery, authorize (A) the sale in bulk by the holder thereof from the
511 premises where the products are manufactured pursuant to such
512 permit; (B) the sale and shipment by the holder thereof to a retailer of

513 distilled alcohol or spirits manufactured by the farm distillery
514 permittee in the original sealed containers of not more than fifteen
515 gallons per container; (C) the offering and tasting of free samples of
516 such distilled alcohol or spirits, in amounts not to exceed two ounces
517 per day per person, to visitors and prospective retail customers for
518 consumption on the premises of the farm distillery permittee; and (D)
519 the sale at retail from the premises of sealed bottles or other sealed
520 containers, in amounts not to exceed four and one-half liters per
521 customer per day, of such distilled alcohol or spirits for consumption
522 off the premises. Notwithstanding the provisions of subparagraphs (C)
523 and (D) of this subdivision, a town may, by ordinance or zoning
524 regulation, prohibit any such offering, tasting or selling at retail at
525 premises within such town for which a manufacturer permit for a farm
526 distillery has been issued.

527 (3) No licensed farm distillery may sell any such distilled alcohol or
528 spirits not manufactured by such distillery.

529 (4) The farm distillery permittee shall grow on the premises of the
530 farm distillery or on property under the same ownership and control
531 of said permittee or leased by the backer of a farm distillery permit or
532 by said permittee within the farm distillery's principal state an average
533 crop of fruit or crops equal to not less than twenty-five per cent of the
534 fruit or crops used in the manufacture of the farm distillery permittee's
535 distilled alcohol or spirits. An average crop shall be defined each year
536 as the average yield of the farm distillery permittee's two largest
537 annual crops out of the preceding five years. In the event the farm
538 distillery consists of more than one property, the aggregate acreage of
539 the farm distillery shall not be less than five acres.

540 (5) The annual fee for a manufacturer permit for a farm distillery
541 shall be three hundred dollars.

542 Sec. 10. Section 30-18a of the general statutes is repealed and the
543 following is substituted in lieu thereof (*Effective July 1, 2019*):

544 (a) (1) An out-of-state winery shipper's permit for wine shall allow

545 the sale of wine to manufacturer and wholesaler permittees in this
546 state as permitted by law and for those shippers that produce not more
547 than one hundred thousand gallons of wine per year, the sale and
548 shipment by the holder thereof to a retailer of wine manufactured by
549 such permittee in the original sealed containers of not more than
550 fifteen gallons per container. For purposes of this section, "wine" shall
551 include cider not exceeding six per cent alcohol by volume and apple
552 wine not exceeding fifteen per cent alcohol by volume.

553 (2) An out-of-state retailer shipper's permit for wine shall allow the
554 sale and shipment of wine directly to a consumer in this state.

555 (b) Subject to the provisions of this subsection, [an out-of-state
556 winery shipper's permit for wine] the permits under subsection (a) of
557 this section shall allow the sale and delivery or shipment of wine
558 manufactured or sold by the permittee directly to a consumer in this
559 state. Such permittee, when selling and shipping wine directly to a
560 consumer in this state, shall: (1) Ensure that the shipping labels on all
561 containers of wine shipped directly to a consumer in this state
562 conspicuously state the following: "CONTAINS ALCOHOL –
563 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
564 DELIVERY"; (2) obtain the signature of a person age twenty-one or
565 older at the address prior to delivery, after requiring the signer to
566 demonstrate that he or she is age twenty-one or older by providing a
567 valid motor vehicle operator's license or a valid identity card described
568 in section 1-1h; (3) not ship more than five gallons of wine in any two-
569 month period to any person in this state and not ship any wine until
570 such permittee is registered, with respect to the permittee's sales of
571 wine to consumers in this state, for purposes of the taxes imposed
572 under chapters 219 and 220, with the Department of Revenue Services;
573 (4) pay, to the Department of Revenue Services, all sales taxes and
574 alcoholic beverage taxes due under chapters 219 and 220 on sales of
575 wine to consumers in this state, and file, with said department, all sales
576 tax returns and alcoholic beverage tax returns relating to such sales,
577 with the amount of such taxes to be calculated as if the sale were in this
578 state at the location where delivery is made; (5) report to the

579 Department of Consumer Protection a separate and complete record of
580 all sales and shipments to consumers in the state, on a ledger sheet or
581 similar form which readily presents a chronological account of such
582 permittee's dealings with each such consumer; (6) permit the
583 Department of Consumer Protection and Department of Revenue
584 Services, separately or jointly, to perform an audit of the permittee's
585 records upon request; (7) not ship to any address in the state where the
586 sale of alcoholic liquor is prohibited by local option pursuant to section
587 30-9; (8) hold an in-state transporter's permit pursuant to section 30-19f
588 or make any such shipment through the use of a person who holds
589 such an in-state transporter's permit; and (9) execute a written consent
590 to the jurisdiction of this state, its agencies and instrumentalities and
591 the courts of this state concerning the enforcement of this section and
592 any related laws, rules, or regulations, including tax laws, rules or
593 regulations.

594 (c) The Department of Consumer Protection, in consultation with
595 the Department of Revenue Services, may adopt regulations in
596 accordance with the provisions of chapter 54 to assure compliance
597 with the provisions of subsection (b) of this section.

598 (d) A holder of [an out-of-state winery shipper's permit for wine] a
599 permit under subsection (a) of this section, when advertising or
600 offering wine for direct shipment to a consumer in this state via the
601 Internet or any other on-line computer network, shall clearly and
602 conspicuously state such liquor permit number in its advertising.

603 (e) (1) For purposes of chapter 219, the holder of [an out-of-state
604 winery shipper's permit for wine] a permit under subsection (a) of this
605 section, when shipping wine directly to a consumer in this state, shall
606 be deemed to be a retailer engaged in business in this state as defined
607 in chapter 219 and shall be required to be issued a seller's permit
608 pursuant to chapter 219.

609 (2) For purposes of chapter 220, the holder of [an out-of-state winery
610 shipper's permit for wine] a permit under subsection (a) of this section,

611 when shipping wine directly to a consumer in this state, shall be
612 deemed to be a distributor as defined in chapter 220 and shall be
613 required to be licensed pursuant to chapter 220.

614 (f) Any person who applies for an out-of-state winery shipper's
615 permit for wine or for the renewal of such permit shall furnish an
616 affidavit to the Department of Consumer Protection, in such form as
617 may be prescribed by the department, affirming whether the out-of-
618 state winery that is the subject of such permit produced more than one
619 hundred thousand gallons of wine during the most recently completed
620 calendar year.

621 (g) The annual fee for [an out-of-state winery shipper's permit for
622 wine] a permit under subsection (a) of this section shall be three
623 hundred fifteen dollars.

624 (h) As used in this section, "out-of-state" means any state other than
625 Connecticut, any territory or possession of the United States, the
626 District of Columbia or the Commonwealth of Puerto Rico, but does
627 not include any foreign country.

628 Sec. 11. (NEW) (*Effective July 1, 2019*) Notwithstanding the
629 provisions of section 30-68m of the general statutes, as amended by
630 this act, the holder of a package store permit issued pursuant to section
631 30-20 of the general statutes may ship alcoholic liquor to a consumer
632 located out of state, subject to all applicable laws of the jurisdiction in
633 which such consumer is located. As used in this section, "out of state"
634 means any state other than Connecticut, any territory or possession of
635 the United States, the District of Columbia or the Commonwealth of
636 Puerto Rico, but does not include any foreign country.

637 Sec. 12. Section 30-6a of the general statutes is repealed and the
638 following is substituted in lieu thereof (*Effective July 1, 2019*):

639 (a) The Department of Consumer Protection may adopt in
640 accordance with the provisions of chapter 54 all necessary regulations,
641 subject to the provisions of subsection (c) of this section, to: (1) Carry

642 out, enforce and prevent violation of the provisions of this chapter, (2)
643 inspect permit premises, (3) ensure sanitary conditions, (4) ensure
644 proper, safe and orderly conduct of permit premises, and (5) protect
645 the public against fraud or overcharge.

646 (b) More specifically, with respect to part V of this chapter, the
647 Department of Consumer Protection may adopt in accordance with the
648 provisions of chapter 54 regulations that are necessary to (1) carry out
649 the purposes of section 30-64 and prevent the circumvention thereof by
650 the offering or giving of any rebate, allowance [, free goods,] or
651 discount [or any other thing or service of value] for alcoholic liquor; (2)
652 permit the withdrawal of, an addition to, a deletion from or an
653 amendment of any schedule, or a modification of prices therein, when
654 not inconsistent with the purposes of said section 30-64, whenever
655 necessary to avoid practical difficulties or unnecessary hardships to
656 any permittee affected by said section 30-64 or because of acts or
657 circumstances beyond the control of such permittee and under such
658 terms and conditions as are necessary to carry out the purposes of said
659 section 30-64; (3) permit the sale by a retailer of a brand of alcoholic
660 liquor or wine for which a schedule of suggested consumer resale
661 prices has not been and cannot be filed, whenever necessary to avoid
662 practical difficulties or unnecessary hardships to any permittee
663 affected by said section or because of acts or circumstances beyond the
664 control of such permittee, and under such terms and conditions as are
665 necessary to carry out the purposes of said section 30-64; (4) subject to
666 the provisions of section 30-63e, permit the closeout of a brand for the
667 purpose of discontinuing its sale, under such terms and conditions as
668 are necessary to carry out the purposes of said section 30-64; (5) carry
669 out the purposes of sections 30-68k to 30-68m, inclusive, and section
670 30-76a and prevent their circumvention; (6) on verified application,
671 and for good cause shown, permit any adjustment or change of any
672 item on the schedule required to be filed under section 30-63, as
673 amended by this act, and said section 30-64; and (7) permit the sale at a
674 price which is less than cost by a supplier, wholesaler or retailer for
675 any item of alcoholic liquor, except beer, that is damaged or

676 deteriorated in quality, or, subject to the provisions of section 30-63f,
 677 permit the closeout of a brand or size for the purpose of discontinuing
 678 its sale, under such terms and conditions as are necessary to carry out
 679 the purposes of sections 30-68k to 30-68m, inclusive, and section 30-
 680 76a.

681 (c) The department shall not adopt any regulation: (1) Requiring
 682 prior approval of alterations or changes in the interior or exterior of
 683 permit premises; (2) requiring prior approval for live entertainment or
 684 the installation of amusement devices or games; (3) requiring
 685 registration of employees or agents of permittees; (4) requiring the
 686 presence of retail permittees on permit premises during hours of sale
 687 or prohibiting employment of such permittees in another occupation
 688 or business except as provided in section 30-45; [or] (5) establishing a
 689 mandated minimum price above which a permittee must sell; (6)
 690 prohibiting a package store permittee from providing customers with
 691 promotional items and novelties to promote or advertise the package
 692 store; or (7) prohibiting a package store permittee from offering rebates
 693 or discounts on goods other than alcoholic liquor sold by such
 694 permittee on the permit premises.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2019, and applicable to new package store permits issued on and after said date</i>	30-14a
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>July 1, 2019</i>	30-48a
Sec. 4	<i>July 1, 2019</i>	30-68m(c)
Sec. 5	<i>July 1, 2019</i>	30-1(6)
Sec. 6	<i>July 1, 2019</i>	30-68l
Sec. 7	<i>July 1, 2019</i>	30-63
Sec. 8	<i>July 1, 2019</i>	New section
Sec. 9	<i>July 1, 2019</i>	30-16
Sec. 10	<i>July 1, 2019</i>	30-18a
Sec. 11	<i>July 1, 2019</i>	New section

Sec. 12	July 1, 2019	30-6a
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Statement of Purpose:

To make changes to the Liquor Control Act.

[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.]