



General Assembly

Amendment

January Session, 2019

LCO No. **10241**



Offered by:
SEN. KELLY, 21st Dist.

To: Subst. Senate Bill No. **647** File No. 592 Cal. No. 287

(As Amended)

"AN ACT STREAMLINING THE LIQUOR CONTROL ACT."

1 Strike subsection (c) of section 4 in its entirety and substitute the
2 following in lieu thereof:

3 "(c) A manufacturer permit for cider not exceeding [six] seven per
4 cent alcohol by volume and [apple wine not exceeding fifteen per cent
5 alcohol by volume] mead shall allow (1) the manufacture, storage,
6 bottling and wholesale distribution and sale at retail of such cider and
7 [apple wine] mead to permittees and nonpermittees in this state as
8 may be permitted by law; but no such permit shall be issued unless the
9 place or the plan of the place of manufacture has received the approval
10 of the department; (2) the sale and shipment by the holder of such
11 permit of such cider and [such apple wine] mead to persons outside
12 the state and to consumers in this state in the same manner and subject
13 to the same conditions as such sale and shipment is permitted for wine
14 by a farm winery manufacturer permittee pursuant to subsection (e) of

15 this section; [and] (3) the offering and tasting, on the premises of the
16 permittee, of free samples of cider and [apple wine] mead
17 manufactured on such premises; and (4) the sale at retail on the
18 premises of such cider and mead by the glass to visitors on the
19 premises for consumption on such premises. Tastings shall not exceed
20 two ounces per patron and such tastings and retail sale of cider and
21 mead by the glass to visitors shall not be allowed on such premises on
22 Sunday before eleven o'clock a.m. and after eight o'clock p.m. and on
23 any other day before ten o'clock a.m. and after eight o'clock p.m. No
24 tasting shall be offered to or allowed to be consumed by any minor or
25 intoxicated person. Offerings and tastings may be limited to visitors
26 who have attended a tour of the premises of the permittee. The annual
27 fee for a manufacturer permit for cider and mead shall be two hundred
28 dollars. For purposes of this subsection, "mead" means fermented
29 honey, with or without adjunct ingredients or additions, regardless of
30 alcohol content, regardless of process and regardless of being
31 sparkling, carbonated or still."

32 Strike subsection (a) of section 5 in its entirety and substitute the
33 following in lieu thereof:

34 "(a) A manufacturer permit shall allow the manufacture of alcoholic
35 liquor and the storage, bottling and wholesale distribution and sale of
36 alcoholic liquor manufactured or bottled to permittees in this state and
37 without the state as may be permitted by law; but no such permit shall
38 be granted unless the place or the plan of the place of manufacture has
39 received the approval of the Department of Consumer Protection. The
40 holder of a manufacturer permit who produces less than twenty-five
41 thousand gallons of alcoholic liquor in a calendar year may sell at
42 retail from the premises sealed bottles or other sealed containers of
43 alcoholic liquor manufactured on the premises for consumption off the
44 premises, provided such holder shall not sell to any one consumer
45 more than one and one-half liters of alcoholic liquor per day nor more
46 than five gallons of alcoholic liquor in any two-month period. Retail
47 sales by a holder of a manufacturer permit shall occur only on the days
48 and times permitted under subsection (d) of section 30-91, as amended

49 by this act. A holder of a manufacturer permit, alone or in combination
50 with any parent or subsidiary business or related or affiliated party,
51 who sells more than ten thousand gallons of alcoholic liquor in any
52 calendar year may not sell alcoholic liquor at wholesale to retail
53 permittees within this state. Such permit shall also authorize the
54 offering and tasting, on the premises of the permittee, of free samples
55 of spirits distilled on the premises. Tastings shall not exceed two
56 ounces per patron per day and shall not be allowed on such premises
57 on Sunday before eleven o'clock a.m. and after eight o'clock p.m. and
58 on any other day before ten o'clock a.m. and after eight o'clock p.m. No
59 tastings shall be offered to or allowed to be consumed by any minor or
60 intoxicated person. A holder of a manufacturer permit may apply for
61 and shall receive an out-of-state shipper's permit for manufacturing
62 plants and warehouse locations outside the state owned by such
63 manufacturer or a subsidiary corporation thereof, at least eighty-five
64 per cent of the voting stock of which is owned by such manufacturer,
65 to bring into any of its plants or warehouses in the state alcoholic
66 liquors for reprocessing, repackaging, reshipment or sale either (1)
67 within the state to wholesaler permittees not owned or controlled by
68 such manufacturer, or (2) outside the state. The annual fee for a
69 manufacturer permit shall be one thousand eight hundred fifty
70 dollars."

71 Strike subsection (d) of section 5 in its entirety and renumber the
72 internal references accordingly

73 Strike subsections (h) and (i) of section 5 in their entirety and
74 substitute the following in lieu thereof:

75 "(h) A manufacturer permit for beer and brew pub shall be in all
76 respects the same as a manufacturer permit for beer, as defined in
77 subsection (b) of this section, and shall allow those additional
78 permissible uses specified in the manufacturer permit for a brew pub,
79 as defined in subsection (g) of this section, provided the holder of a
80 manufacturer permit for beer and brew pub produces at least five
81 thousand gallons of beer on the premises annually. The annual fee for

82 a manufacturer permit for beer and brew pub shall be one thousand
83 five hundred dollars.]

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

92 (2) Such permit shall, at the single principal premises of the farm
93 distillery, authorize (A) the sale in bulk by the holder thereof from the
94 premises where the products are manufactured pursuant to such
95 permit; (B) the sale and shipment by the holder thereof to a retailer of
96 distilled alcohol or spirits manufactured by the farm distillery
97 permittee in the original sealed containers of not more than fifteen
98 gallons per container; (C) the offering and tasting of free samples of
99 such distilled alcohol or spirits, in amounts not to exceed two ounces
100 per day per person, to visitors and prospective retail customers for
101 consumption on the premises of the farm distillery permittee; and (D)
102 the sale at retail from the premises of sealed bottles or other sealed
103 containers, in amounts not to exceed four and one-half liters per
104 customer per day, of such distilled alcohol or spirits for consumption
105 off the premises. Notwithstanding the provisions of subparagraphs (C)
106 and (D) of this subdivision, a town may, by ordinance or zoning
107 regulation, prohibit any such offering, tasting or selling at retail at
108 premises within such town for which a manufacturer permit for a farm
109 distillery has been issued.

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

112 (4) The farm distillery permittee shall grow on the premises of the
113 farm distillery or on property under the same ownership and control

114 of said permittee or leased by the backer of a farm distillery permit or
115 by said permittee within the farm distillery's principal state an average
116 crop of fruit or crops equal to not less than twenty-five per cent of the
117 fruit or crops used in the manufacture of the farm distillery permittee's
118 distilled alcohol or spirits. An average crop shall be defined each year
119 as the average yield of the farm distillery permittee's two largest
120 annual crops out of the preceding five years. In the event the farm
121 distillery consists of more than one property, the aggregate acreage of
122 the farm distillery shall not be less than five acres.

123 (5) The annual fee for a manufacturer permit for a farm distillery
124 shall be three hundred dollars."

125 Strike subsection (a) of section 6 in its entirety and substitute the
126 following in lieu thereof:

127 "(a) A gift basket retailer permit shall allow the retail sale of wine or
128 beer. Such wine or beer shall be included in a gift basket sold at retail
129 by the permit holder. Such wine or beer shall not be consumed on the
130 premises. [Such permit] The holder of a gift basket retailer permit shall
131 be located in this state and such wine or beer shall only be purchased
132 by such permit holder from the holder of a package store permit issued
133 pursuant to section 30-20, [or] the holder of a manufacturer permit for
134 a farm winery issued pursuant to subsection [(e)] (c) of section 30-16,
135 as amended by this act, the holder of a manufacturer permit for cider
136 and mead issued pursuant to subsection (d) of section 30-16, as
137 amended by this act, or the holder of a manufacturer permit for beer
138 issued pursuant to subsection (b) of section 30-16, as amended by this
139 act."

140 Strike subsections (a) and (b) of section 23 in their entirety and
141 substitute the following in lieu thereof:

142 "Sec. 23. (NEW) (*Effective July 1, 2020*) (a) The holder of a permit
143 issued pursuant to chapter 545 of the general statutes who
144 manufactures alcoholic liquor, as defined in section 30-1 of the general
145 statutes, as amended by this act, on a farm in this state, using farm

146 products grown in this state, may apply to the Commissioner of
147 Agriculture for permission to use the words "Connecticut Farm
148 Winery", "Connecticut Farm Brewery", "Connecticut Farm Cidery", or
149 substantially similar words, as approved by the commissioner, when
150 advertising or promoting such alcoholic liquor. Not less than twenty-
151 five per cent of the permittee's total annual alcoholic liquor product
152 ingredients shall be grown in this state. Prior to using such words in its
153 advertising or product promotion, and annually thereafter, the
154 permittee shall submit an application to the commissioner, upon a
155 form approved by the commissioner, accompanied by a registration
156 fee of twenty-five dollars.

157 (b) The holder of a permit issued pursuant to chapter 545 of the
158 general statutes who manufactures alcoholic liquor, as defined in
159 section 30-1 of the general statutes, as amended by this act, using farm
160 products grown in this state, may apply to the Commissioner of
161 Agriculture for permission to the use the words "Connecticut Grown",
162 when advertising or promoting such alcoholic liquor. Not less than
163 fifty-one per cent of the permittee's total annual alcoholic liquor
164 product ingredients shall be grown in this state. Prior to using such
165 words in its advertising or product promotion, and annually
166 thereafter, the permittee shall submit an application to the
167 commissioner, upon a form approved by the commissioner,
168 accompanied by a registration fee of twenty-five dollars."