

**Proposed Substitute
Bill No. 5141**

LCO No. 2867

**AN ACT PROHIBITING THE SALE OF ENERGY DRINKS TO PERSONS
UNDER EIGHTEEN YEARS OF AGE.**

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

- 1 Section 1. (NEW) (*Effective July 1, 2020*) (a) As used in this section:
- 2 (1) "Dealer" means any person who is engaged in the business of
3 selling energy drinks to retail consumers in the state;
- 4 (2) "Energy drink" means a soft drink that contains (A) not less than
5 eighty milligrams of caffeine per nine fluid ounces, and (B)
6 methylxanthines, B vitamins, herbal ingredients or an ingredient
7 labeled as "energy blend";
- 8 (3) "Person" means any individual, firm, fiduciary, partnership,
9 corporation, limited liability company, trust or association, however
10 formed; and
- 11 (4) "Sale" or "sell" means the act of exchanging an energy drink for
12 consideration.
- 13 (b) On and after January 1, 2021, no dealer shall sell an energy drink
14 to an individual under eighteen years of age. Each dealer, or such
15 dealer's agent or employee, shall require any individual who is
16 purchasing or attempting to purchase an energy drink, whose age is in
17 question, to present a valid motor vehicle operator's license, identity

18 card issued pursuant to section 1-1h of the general statutes or passport.
19 If an individual fails to present such valid license, card or passport, such
20 dealer or dealer's agent shall not sell an energy drink to such individual.

21 (c) On and after January 1, 2021, each dealer shall place and maintain,
22 in legible condition at each point of sale of energy drinks to consumers,
23 a notice that states that the sale of energy drinks to any individual under
24 eighteen years of age is prohibited by this section.

25 (d) Any dealer who violates the provisions of this section shall be (1)
26 issued a warning for the first offense, (2) fined not more than two
27 hundred dollars for the second offense if such offense occurs during the
28 twenty-four-month period following a first offense, and (3) fined not
29 more than three hundred fifty dollars for each subsequent offense.

30 (e) The Commissioner of Consumer Protection shall have the power
31 to enforce the provisions of this section.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2020</i>	New section