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:

Section 1. (NEW) (Effective July 1, 2020) (a) As used in this section:

(1) "Dealer" means any person who is engaged in the business of selling energy drinks to retail consumers in the state;

(2) "Energy drink" means a soft drink that contains (A) not less than eighty milligrams of caffeine per nine fluid ounces, and (B) methylxanthines, B vitamins, herbal ingredients or an ingredient labeled as "energy blend";

(3) "Person" means any individual, firm, fiduciary, partnership, corporation, limited liability company, trust or association, however formed; and

(4) "Sale" or "sell" means the act of exchanging an energy drink for consideration.

(b) On and after January 1, 2021, no dealer shall sell an energy drink to an individual under eighteen years of age. Each dealer, or such dealer's agent or employee, shall require any individual who is purchasing or attempting to purchase an energy drink, whose age is in question, to present a valid motor vehicle operator's license, identity
card issued pursuant to section 1-1h of the general statutes or passport.

If an individual fails to present such valid license, card or passport, such
dealer or dealer's agent shall not sell an energy drink to such individual.

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

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

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

This act shall take effect as follows and shall amend the following
sections:

| Section 1 | July 1, 2020 | New section |