
OLR Bill Analysis

sSB 894 (File 113, as amended by Senate "A")*

AN ACT CONCERNING THE MANUFACTURE, SALE AND DISTRIBUTION OF ALCOHOL-INFUSED CONFECTIONS.

SUMMARY

This bill makes several unrelated changes to the Liquor Control Act. Specifically, it allows:

1. the sale of alcohol-infused confections (e.g., chocolate), including at package stores;
2. alcoholic liquor permittees authorized to serve alcohol for on-premises consumption to use a self-pour automated machine to serve beer, certain ciders, and wine; and
3. a grocery store beer permit backer to also be a backer of a restaurant permit if the restaurant's premises does not abut or share the same space as the grocery store. (By law, permittees and backers of one permit class are generally prohibited from holding a permit or being a backer in another class.)

The bill also requires the Liquor Control Commission to study the potential effect of extending alcoholic liquor service hours at gaming and other establishments regulated under the Liquor Control Act and located 50 miles or less from the state border. By January 1, 2022, the commission must report its findings to the General Law Committee.

The bill also makes technical and conforming changes.

*Senate Amendment "A" (1) specifies that the alcohol-infused confections are measured by weight and not volume and eliminates the requirement that the Department of Consumer Protection (DCP) consult the Liquor Control Commission when adopting implementing regulations and (2) adds the provisions on self-pour alcohol automated

machines, the gaming alcohol service impact study, and allowing multiple backers.

EFFECTIVE DATE: Upon passage, except the provision allowing multiple backers is effective July 1, 2021.

ALCOHOL-INFUSED CONFECTIONS

The bill requires the DCP commissioner to (1) adopt regulations to allow the manufacture, sale, and distribution of alcohol-infused confections (e.g., chocolate) containing up to 0.5% alcohol by weight and (2) approve the sale of those confections. It also allows package stores to sell the alcohol-infused confections that are approved for sale by the commissioner.

Relatedly, the bill exempts the confections regulated by the commissioner from being considered adulterated foods under the Connecticut Food, Drug and Cosmetic Act. Existing law already exempts confections containing up to 0.5% alcohol by weight if the alcohol is not infused, but instead derived solely from flavoring extracts. By law, the manufacture, sale, and distribution of adulterated foods is generally prohibited (CGS § 21a-93).

SELF-POUR ALCOHOL AUTOMATED MACHINES

The bill allows alcoholic liquor permittees authorized to serve alcohol for on-premises consumption to use a self-pour automated machine to serve beer, cider with up to 6% alcohol by volume, and wine.

Under the bill, the automated machine, upon the permittee's activation of a payment card, may be operated to dispense beer, cider, and wine to a (1) permittee's employee who is authorized to serve alcohol or (2) person who shows a government-issued identification card that matches the name on the payment card and is verified to be age 21 or older by the permittee, or presumably his or her employee. The permittee or employee must record the verification that the person is at least age 21.

Under the bill, automated machines cannot dispense a serving of

more than 32 ounces of beer or cider or 10 ounces of wine before the permittee or employee must reactivate the payment card.

The bill also requires DCP to amend its regulations by October 1, 2021 to (1) allow permittees and their employees to use automated machines to dispense beer, cider, and wine pursuant to the bill; (2) ensure that automated machines do not initially dispense more than one drink at a time; and (3) ensure that someone is only allowed subsequent automated servings after he or she substantially disposes of or consumes the previous serving. Current regulations prohibit using an alcoholic liquor self-service system, where a customer serves himself or herself, except as allowed under a hotel guest bar permit (Conn. Agencies Regs., § 30-6-A28(c)).

BACKGROUND

Related Bills

SB 265 (File 13), favorably reported by the General Law Committee, contains the same provision allowing self-pour alcohol automated machines.

sHB 6460 (File 137), favorably reported by the General Law Committee, contains the same provision requiring the Liquor Control Commission to study the potential effect of extending alcoholic liquor service hours at gaming and other establishments.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 19 Nay 0 (03/09/2021)