OLR Bill Analysis
sHB 5306

AN ACT ALLOWING CERTAIN PERMITTEES TO SELL ALCOHOLIC LIQUOR FOR OFF-PREMISES CONSUMPTION.

SUMMARY

This bill allows, for three years following the bill’s effective date, certain alcohol permittees to sell and deliver alcoholic liquor (e.g., beer, wine, or spirits) for off-premises consumption that they currently sell for on-premises consumption. The permittees are manufacturers, when they are not selling their own product; hotels; restaurants; and cafes, including those that are deemed cafes because of their status under the prior golf country club, club, or nonprofit club permits. The bill specifies that sales must be consistent with all local ordinances where the premises is located.

The bill requires any such alcoholic liquor sold for off-premises consumption to be accompanied by food. Except for manufacturers, permittees may use a container other than the manufacturer’s original sealed container but must make sure it is securely sealed.

By law, manufacturer permittees may already sell their own product for off-premises consumption under certain conditions. The bill allows them to deliver their products and specifically allows them to do so without food.

The bill allows sales and deliveries only during the hours package stores may operate under state law (see BACKGROUND). The permittee’s direct employee must make the deliveries unless the third-party vendor or entity holds an in-state transporter permit.

The bill limits the amounts hotel and restaurant permittees may sell each customer per order to 196 ounces for beer, one liter for spirits, and 1.5 liters for wine.
EFFECTIVE DATE: Upon passage

SECURELY SEALED CONTAINERS

Except for manufacturer permittees, the bill allows the alcoholic liquor to be sold and delivered in containers other than the manufacturer’s original sealed container.

Under the bill, the alcoholic liquor must be given to the consumer in a securely sealed container that prevents consumption without removing the tamper-evident lid, cap, or seal. The bill specifies a securely sealed container does not include one with a lid with sipping holes or openings for straws. It also requires the permittee’s agent or employee to place each securely sealed container into a bag before leaving the permit premises.

Under the bill, a sealed container is not deemed an open container, as long as the (1) container is unopened and the seal has not been tampered with and (2) contents have not been partially removed.

MANUFACTURER PERMITTEES

Under the bill, manufacturer permittees are subject to the same limits for off-premises consumption as the amount they may sell at retail from their premises under existing law. By law, for each consumer, manufacturer permittees for (1) spirits that produce less than 50,000 gallons may sell up to three liters per day but not more than five gallons in any two-month period and (2) beer may sell up to nine gallons per day. There is no limit for permittees of (1) a farm winery or (2) wine, cider, and mead.

BACKGROUND

Package Store Hours

By law, package stores may sell between 10:00 a.m. and 6:00 p.m. on Sundays and 8:00 a.m. and 10:00 p.m. Monday through Saturday. Sales are also prohibited on Thanksgiving Day, New Year’s Day, and Christmas (CGS § 30-91(d)).

COMMITTEE ACTION
General Law Committee

Joint Favorable Substitute
Yea  17   Nay  2   (03/09/2021)