



Substitute Senate Bill No. 975

Public Act No. 23-110

AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS' RECOMMENDATIONS FOR MINOR AND TECHNICAL REVISIONS TO STATUTES CONCERNING CONSUMER PROTECTION.

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

Section 1. Subdivision (6) of section 42-515 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(6) "Consent" means a clear affirmative act signifying a consumer's freely given, specific, informed and unambiguous agreement to allow the processing of personal data relating to the consumer. "Consent" may include a written statement, including by electronic means, or any other unambiguous affirmative action. "Consent" does not include (A) acceptance of [a] general or broad terms of use or a similar document that contains descriptions of personal data processing along with other, unrelated information, (B) hovering over, muting, pausing or closing a given piece of content, or (C) agreement obtained through the use of dark patterns.

Sec. 2. Subsection (a) of section 30-22a of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

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(a) A cafe permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a cafe. The holder of a cafe permit shall keep food available for sale to its customers for consumption on the premises during the majority of the hours such premises are open. The availability of food from outside vendors located on or near the premises, who may directly deliver such food or indirectly deliver such food through a third party, shall be deemed to constitute compliance with such requirement. The licensed premises shall at all times comply with all the regulations of the local department of health. Nothing herein shall be construed to require that any food be sold or purchased with any alcoholic liquor, nor shall any rule, regulation or standard be promulgated or enforced to require that sales of food be substantial or that the business's receipts from sales of alcoholic liquor equal any set percentage of total receipts from all sales made on the licensed premises. A cafe permit shall allow, with the prior approval of the Department of Consumer Protection, alcoholic liquor to be served at tables in outside areas that are screened or not screened from public view where permitted by fire, zoning and health regulations. If not required by fire, zoning or health regulations, a fence or wall enclosing such outside areas shall not be required by the Department of Consumer Protection. No fence or wall used to enclose such outside areas shall be less than thirty inches high. Such permit shall also authorize the sale at retail from the premises of sealed containers, supplied by the permittee, of draught beer for consumption off the premises. Such sales shall be conducted only during the hours a package store is permitted to sell alcoholic liquor under the provisions of subsection (d) of section 30-91. Not more than four liters of such beer shall be sold to any person on any day on which the sale of alcoholic liquor is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a cafe permit shall be two thousand dollars, except the annual fee for a cafe permit for a prior holder of a tavern permit issued under section 30-26 shall be eight hundred dollars for the first year, twelve hundred dollars for the second year, one thousand six hundred dollars for the third year and two

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thousand dollars for each year thereafter.

Sec. 3. Subsection (c) of section 30-91 of the general statutes is repealed and the following is substituted in lieu thereof (*Effective July 1, 2023*):

(c) Notwithstanding any provisions of subsections (a) and (b) of this section, such sale, dispensing, consumption or presence in glasses in places operating under a cafe permit issued under subsection (f) of section 30-22a shall be unlawful before eleven o'clock a.m. on any day, except in that portion of the permit premises which is located in a separate room or rooms entry to which, from the bowling lane area of the establishment, is by means of a door or doors which shall remain closed at all times except to permit entrance and egress to and from the lane area. Any alcoholic liquor sold or dispensed in a place operating under a cafe permit issued under subsection (f) of section 30-22a shall be served in containers such as, but not limited to, plastic or glass. Any town may, by vote of a town meeting or by ordinance, reduce the number of hours during which sales under this subsection shall be permissible.

Sec. 4. Subsection (a) of section 52-557l of the general statutes is repealed and the following is substituted in lieu thereof (*Effective October 1, 2023*):

(a) Notwithstanding any provision of the general statutes, any person, including, but not limited to, a seller, farmer, processor, distributor, wholesaler or retailer of food, who donates an item of food for use or distribution by a nonprofit organization, nonprofit corporation, political subdivision of the state or senior center, and any nonprofit organization or nonprofit corporation that collects donated food and distributes such food to other nonprofit organizations or nonprofit corporations or a political subdivision of the state or senior center free of charge or for a nominal fee, shall not be liable for civil

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damages or criminal penalties resulting from the nature, age, condition or packaging of the food, unless it is established that the donor, at the time of making the donation, or the nonprofit organization or nonprofit corporation, at the time of distributing the food, knew or had reasonable grounds to believe that the food was (1) adulterated, as described in section 21a-101, or (2) not fit for human consumption.

Approved June 26, 2023