



Senate

General Assembly

File No. 207

January Session, 2023

Substitute Senate Bill No. 905

Senate, March 23, 2023

The Committee on General Law reported through SEN. MARONEY of the 14th Dist., Chairperson of the Committee on the part of the Senate, that the substitute bill ought to pass.

AN ACT CONCERNING ALCOHOLIC LIQUOR AND TOBACCO BARS.

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

1 Section 1. Section 30-1 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 For the purposes of this chapter and sections 2 to 4, inclusive, of this
4 act, unless the context indicates a different meaning:

5 (1) "Airline" means any (A) United States airline carrier holding a
6 certificate of public convenience and necessity from the Civil
7 Aeronautics Board under Section 401 of the Federal Aviation Act of
8 1958, as amended from time to time, or (B) foreign flag carrier holding a
9 permit under Section 402 of said act.

10 (2) "Alcohol" (A) means the product of distillation of any fermented
11 liquid that is rectified at least once and regardless of such liquid's origin,
12 and (B) includes synthetic ethyl alcohol which is considered nonpotable.

13 (3) "Alcoholic beverage" and "alcoholic liquor" include the four

14 varieties of liquor defined in subdivisions (2), (5), (21) and (22) of this
15 section (alcohol, beer, spirits and wine) and every liquid or solid,
16 patented or unpatented, containing alcohol, beer, spirits or wine and at
17 least one-half of one per cent alcohol by volume, and capable of being
18 consumed by a human being as a beverage. Any liquid or solid
19 containing more than one of the four varieties so defined belongs to the
20 variety which has the highest percentage of alcohol according to the
21 following order: Alcohol, spirits, wine and beer, except as provided in
22 subdivision (22) of this section.

23 (4) "Backer" means, except in cases where the permittee is the
24 proprietor, the proprietor of any business or club, incorporated or
25 unincorporated, that is engaged in manufacturing or selling alcoholic
26 liquor and in which business a permittee is associated, whether as an
27 agent, employee or part owner.

28 (5) "Beer" means any beverage obtained by the alcoholic fermentation
29 of a decoction or infusion of barley, hops and malt in drinking water.

30 (6) "Boat" means any vessel that is (A) operating on any waterway of
31 this state, and (B) engaged in transporting passengers for hire to or from
32 any port of this state.

33 (7) "Case price" means the price of a container made of cardboard,
34 wood or any other material and containing units of the same class and
35 size of alcoholic liquor. A case of alcoholic liquor, other than beer,
36 cocktails, cordials, prepared mixed drinks and wines, shall be in the
37 quantity and number, or fewer, with the permission of the
38 Commissioner of Consumer Protection, of bottles or units as follows:
39 (A) Six one thousand seven hundred fifty milliliter bottles, (B) six one
40 thousand eight hundred milliliter bottles, (C) twelve seven hundred
41 milliliter bottles, (D) twelve seven hundred twenty milliliter bottles, (E)
42 twelve seven hundred fifty milliliter bottles, (F) twelve nine hundred
43 milliliter bottles, (G) twelve one liter bottles, (H) twenty-four three
44 hundred seventy-five milliliter bottles, (I) forty-eight two hundred
45 milliliter bottles, (J) sixty one hundred milliliter bottles, or (K) one
46 hundred twenty fifty milliliter bottles, except a case of fifty milliliter

47 bottles may be in a quantity and number as originally configured,
48 packaged and sold by the manufacturer or out-of-state shipper prior to
49 shipment if the number of such bottles in such case is not greater than
50 two hundred. The commissioner shall not authorize fewer quantities or
51 numbers of bottles or units as specified in this subdivision for any one
52 person or entity more than eight times in any calendar year. For the
53 purposes of this subdivision, "class" has the same meaning as provided
54 in 27 CFR 4.21 for wine, 27 CFR 5.22 for spirits and 27 CFR 7.24 for beer.

55 (8) "Charitable organization" means any nonprofit organization that
56 (A) is organized for charitable purposes, and (B) has received a ruling
57 from the Internal Revenue Service classifying such nonprofit
58 organization as an exempt organization under Section 501(c)(3) of the
59 Internal Revenue Code of 1986, or any subsequent corresponding
60 internal revenue code of the United States, as amended from time to
61 time.

62 (9) "Club" has the same meaning as provided in section 30-22aa.

63 (10) "Coliseum" has the same meaning as provided in section 30-33a.

64 (11) "Commission" means the Liquor Control Commission
65 established under this chapter.

66 (12) "Department" means the Department of Consumer Protection.

67 (13) "Dining room" means any room or rooms (A) located in premises
68 operating under (i) a hotel permit issued under section 30-21, (ii) a
69 restaurant permit issued under subsection (a) of section 30-22, (iii) a
70 restaurant permit for wine and beer issued under subsection (b) of
71 section 30-22, or (iv) a cafe permit issued under section 30-22a, as
72 amended by this act, and (B) where meals are customarily served to any
73 member of the public who has means of payment and a proper
74 demeanor.

75 (14) "Mead" means fermented honey (A) with or without additions or
76 adjunct ingredients, and (B) regardless of (i) alcohol content, (ii) process,
77 and (iii) whether such honey is carbonated, sparkling or still.

78 (15) "Minor" means any person who is younger than twenty-one
79 years of age.

80 (16) "Nonprofit club" has the same meaning as provided in section
81 30-22aa.

82 (17) "Nonprofit public television corporation" has the same meaning
83 as provided in section 30-37d.

84 (18) (A) "Person" means an individual, including, but not limited to,
85 a partner.

86 (B) "Person" does not include a corporation, joint stock company,
87 limited liability company or other association of individuals.

88 (19) (A) "Proprietor" includes all owners of a business or club,
89 incorporated or unincorporated, that is engaged in manufacturing or
90 selling alcoholic liquor, whether such owners are persons, fiduciaries,
91 joint stock companies, stockholders of corporations or otherwise.

92 (B) "Proprietor" does not include any person who, or corporation that,
93 is merely a creditor, whether as a bond holder, franchisor, landlord or
94 note holder, of a business or club, incorporated or unincorporated, that
95 is engaged in manufacturing or selling alcoholic liquor.

96 (20) "Restaurant" has the same meaning as provided in section 30-22.

97 (21) "Spirits" means any beverage that contains alcohol obtained by
98 distillation mixed with drinkable water and other substances in
99 solution, including brandy, rum, whiskey and gin.

100 (22) "Wine" means any alcoholic beverage obtained by fermenting the
101 natural sugar content of fruits, such as apples, grapes or other
102 agricultural products, containing such sugar, including fortified wines
103 such as port, sherry and champagne.

104 Sec. 2. (NEW) (*Effective from passage*) (a) For the purposes of this
105 section:

106 (1) "Auctioneer" means any person who (A) regularly provides
107 professional services by auctioning items for sale, and (B) does not hold
108 any other permit issued under chapter 545 of the general statutes; and

109 (2) "Individual collector" means any person who is not (A) a backer
110 or permittee, (B) an employee of a backer, or (C) a director or officer of
111 a backer.

112 (b) A temporary auction permit issued under this section shall allow
113 the sale of beer, spirits and wine obtained from one or more individual
114 collectors, holders of package store permits issued under section 30-20
115 of the general statutes or holders of cancelled restaurant permits issued
116 under section 30-22 of the general statutes or cancelled cafe permits
117 issued under section 30-22a of the general statutes, as amended by this
118 act, through an auction conducted by an auctioneer. Such auction may
119 be conducted, in person or online, only during the hours specified in
120 subsection (d) of section 30-91 of the general statutes, as amended by
121 this act.

122 (c) To obtain a temporary auction permit under this section, an
123 auctioneer shall submit an application to the department, in a form and
124 manner prescribed by the department, at least sixty days before the first
125 day of the auction to be conducted under such permit. The auctioneer
126 applicant shall serve as the backer of such permit. Each such permit shall
127 be valid for one auction and shall be effective for a period not to exceed
128 three consecutive days in duration. The department may issue not more
129 than four temporary auction permits to a backer in any calendar year.
130 The fee for a temporary auction permit shall be one hundred seventy-
131 five dollars per day.

132 (d) The auctioneer shall obtain all beer, spirits and wine that are the
133 subject of an auction conducted under a temporary auction permit
134 issued under this section from one or more individual collectors, holders
135 of package store permits issued under section 30-20 of the general
136 statutes or holders of cancelled restaurant permits issued under section
137 30-22 of the general statutes or cancelled cafe permits issued under
138 section 30-22a of the general statutes, as amended by this act. The

139 auctioneer shall only accept beer, spirits or wine that (1) was lawfully
140 acquired by (A) an individual collector, or (B) the holder of a package
141 store permit issued under section 30-20 of the general statutes, cancelled
142 restaurant permit issued under section 30-22 of the general statutes or
143 cancelled cafe permit issued under section 30-22a of the general statutes,
144 as amended by this act, who purchased such beer, spirits or wine from
145 the holder of a wholesaler permit issued under section 30-17 of the
146 general statutes, and (2) bears an intact seal from the manufacturer of
147 such beer, spirits or wine. An individual collector may sell or consign
148 such beer, spirits or wine to the auctioneer. The holder of a package store
149 permit issued under section 30-20 of the general statutes may sell or
150 consign such beer, spirits or wine to the auctioneer, provided the
151 starting bid for such beer, spirits or wine is in an amount that is not less
152 than the amount required under section 30-68m of the general statutes.
153 The holder of a cancelled restaurant permit issued under section 30-22
154 of the general statutes or a cancelled cafe permit issued under section
155 30-22a of the general statutes, as amended by this act, may, not later than
156 sixty days after such permit is cancelled, sell or consign such beer, spirits
157 or wine to the auctioneer. All unsold consigned beer, spirits or wine
158 shall be returned to the individual collector, holder of the package store
159 permit issued under section 30-20 of the general statutes, holder of the
160 cancelled restaurant permit issued under section 30-22 of the general
161 statutes or holder of the cancelled cafe permit issued under section 30-
162 22a of the general statutes, as amended by this act, not later than ten
163 days after the final day of such auction.

164 (e) Except as provided in subsection (d) of this section, all beer, spirits
165 and wine sold at an auction conducted pursuant to a temporary auction
166 permit issued under this section is exempt from the requirements of
167 sections 30-63 and 30-68m of the general statutes. Except for unsold
168 consigned beer, spirits or wine that an auctioneer returns to the holder
169 of a package store permit issued under section 30-20 of the general
170 statutes, no such beer, spirits or wine may be resold, offered for sale or
171 otherwise used on the permit premises of any other permittee operating,
172 or the backer of any other permit issued, under chapter 545 of the
173 general statutes.

174 (f) A holder of a temporary auction permit issued under this section
175 may offer free samples of any beer, spirits or wine to be sold at auction
176 for tasting, provided the holder sends a notice to the department, at least
177 thirty days before the first day of such auction and in a form and manner
178 prescribed by the department, disclosing that the holder intends to offer
179 such free samples for tasting. Any tasting shall be conducted only
180 during the hours in which the holder of a temporary auction permit
181 issued under this section is authorized to sell alcoholic liquor under
182 subsection (d) of section 30-91 of the general statutes, as amended by
183 this act. No tasting shall be offered to any minor or intoxicated person,
184 or from more than ten uncorked or open cans or bottles at any one time.
185 Any town or municipality may, by ordinance or zoning regulation,
186 prohibit the offering of such free samples by the holders of temporary
187 auction permits issued under this section at events or functions held in
188 such town or municipality.

189 (g) A temporary auction permit issued under this section shall allow
190 for the delivery and shipment of any beer, spirits or wine sold at an
191 auction conducted pursuant to such permit directly to the consumer
192 who purchased such beer, spirits or wine. Any shipment to a consumer
193 outside of this state is subject to all applicable laws of the jurisdiction in
194 which such consumer is located. When shipping such beer, spirits or
195 wine directly to a consumer in this state, the holder of such permit shall:
196 (1) Ensure that the shipping label on each container containing such
197 beer, spirits or wine states the following: "CONTAINS ALCOHOL –
198 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
199 DELIVERY"; (2) obtain the signature of a person who is at least twenty-
200 one years of age at the delivery address prior to delivery, after requiring
201 such person to demonstrate that such person is at least twenty-one years
202 of age by providing a valid motor vehicle operator's license or a valid
203 identity card described in section 1-1h of the general statutes; (3) not
204 ship such beer, spirits or wine to any address in this state where the sale
205 of alcoholic liquor is prohibited by local option pursuant to section 30-9
206 of the general statutes; and (4) make any such shipment through the use
207 of a person who holds an in-state transporter's permit issued under
208 section 30-19f of the general statutes.

209 (h) The department may adopt regulations, in accordance with the
210 provisions of chapter 54 of the general statutes, to implement the
211 provisions of this section.

212 Sec. 3. (NEW) (*Effective from passage*) (a) An outdoor open-air permit
213 shall allow the retail sale of alcoholic liquor for consumption on a lot,
214 yard, green or other outdoor open space, provided: (1) The retail sale
215 and consumption of alcoholic liquor is allowed in such space by the
216 applicable local zoning, health and fire marshal officials; (2) the
217 permitted premises is not more than one acre in size; (3) a temporary
218 fence or a wall not less than thirty inches high encloses the permitted
219 area; (4) restrooms or enclosed portable toilets are available either
220 within the permitted area or nearby; and (5) food is available for sale to
221 consumers for consumption on the permitted premises during all hours
222 that the permittee is engaging in the retail sale of alcoholic liquor. Any
223 such food may be prepared on the permitted premises, be provided by
224 a food truck or a caterer or consist of prepackaged items. The availability
225 of area menus for delivery shall be deemed to constitute compliance
226 with such requirement. Nothing in this section shall be construed to
227 require that food be purchased with an alcoholic beverage.

228 (b) Tents, mobile units and other temporary fixtures may be included
229 within the permitted premises. A permittee under this section shall
230 maintain the permitted premises in a manner consistent with all
231 applicable local zoning, health and fire requirements.

232 (c) The outdoor open-air permit shall be issued by the department
233 subject to the limitations on hours of operation for a restaurant
234 permittee, as specified in subsection (a) of section 30-91 of the general
235 statutes. No such permit shall be renewable. Any backer of the permittee
236 may apply for only one outdoor open-air permit per calendar year. The
237 provisions of subdivision (3) of subsections (b) and subsection (c) of
238 section 30-39 of the general statutes, as amended by this act, shall not
239 apply to outdoor open-air permits. The annual fee for each outdoor
240 open-air permit shall be four thousand dollars.

241 (d) The outdoor open-air permit shall allow the sale at retail of

242 draught beer for off-premises consumption in sealed containers
243 supplied by the permittee. Such sales shall be conducted only during
244 the hours in which a package store may sell alcoholic liquor under the
245 provisions of subsection (d) of section 30-91 of the general statutes, as
246 amended by this act. Not more than four liters of such beer shall be sold
247 to any person on any day on which the sale of alcoholic liquor is
248 authorized under the provisions of subsection (d) of section 30-91 of the
249 general statutes, as amended by this act.

250 Sec. 4. (NEW) (*Effective from passage*) (a) For the purposes of this
251 section:

252 (1) "Cocktail keg" means any individual container of a cocktail or
253 prepared mixed drink that (A) has a liquid capacity of at least four
254 gallons, and (B) is sealed by the (i) manufacturer of such cocktail or
255 prepared mixed drink, or (ii) holder of a wholesaler permit issued under
256 section 30-17 of the general statutes; and

257 (2) "Qualified retail permittee" means the holder of a permit issued
258 under chapter 545 of the general statutes, which permit authorizes such
259 holder to sell cocktails and prepared mixed drinks for on-premises
260 consumption.

261 (b) Any holder of a wholesaler permit issued under section 30-17 of
262 the general statutes may sell, at wholesale, a cocktail keg to a qualified
263 retail permittee.

264 Sec. 5. Section 30-6a of the general statutes is repealed and the
265 following is substituted in lieu thereof (*Effective from passage*):

266 (a) The Department of Consumer Protection may adopt in accordance
267 with the provisions of chapter 54 all necessary regulations, subject to the
268 provisions of [subsection (c)] subsections (b) to (e), inclusive, of this
269 section, to: (1) Carry out, enforce and prevent violation of the provisions
270 of this chapter; [] (2) inspect permit premises; [] (3) ensure sanitary
271 conditions; [] (4) ensure proper, safe and orderly conduct of permit
272 premises; [] and (5) protect the public against fraud or overcharge.

273 (b) More specifically, with respect to part V of this chapter, the
274 Department of Consumer Protection may adopt in accordance with the
275 provisions of chapter 54 regulations that are necessary to: (1) [carry]
276 Carry out the purposes of section 30-64 and prevent the circumvention
277 thereof by the offering or giving of any rebate, allowance, free goods,
278 discount or any other thing or service of value; (2) permit the
279 withdrawal of, an addition to, a deletion from or an amendment of any
280 schedule, or a modification of prices therein, when not inconsistent with
281 the purposes of [said] section 30-64, whenever necessary to avoid
282 practical difficulties or unnecessary hardships to any permittee affected
283 by [said] section 30-64 or because of acts or circumstances beyond the
284 control of such permittee and under such terms and conditions as are
285 necessary to carry out the purposes of [said] section 30-64; (3) permit the
286 sale by a retailer of a brand of alcoholic liquor or wine for which a
287 schedule of suggested consumer resale prices has not been and cannot
288 be filed, whenever necessary to avoid practical difficulties or
289 unnecessary hardships to any permittee affected by [said] section 30-64
290 or because of acts or circumstances beyond the control of such
291 permittee, and under such terms and conditions as are necessary to
292 carry out the purposes of [said] section 30-64; (4) subject to the
293 provisions of section 30-63e, permit the closeout of a brand for the
294 purpose of discontinuing its sale, under such terms and conditions as
295 are necessary to carry out the purposes of [said] section 30-64; (5) carry
296 out the purposes of sections 30-68k to 30-68m, inclusive, and section 30-
297 76a and prevent their circumvention; (6) on verified application, and for
298 good cause shown, permit any adjustment or change of any item on the
299 schedule required to be filed under [section] sections 30-63 and [said
300 section] 30-64; and (7) permit the sale at a price which is less than cost
301 by a supplier, wholesaler or retailer for any item of alcoholic liquor,
302 except beer, that is damaged or deteriorated in quality, or, subject to the
303 provisions of section 30-63f, permit the closeout of a brand or size for
304 the purpose of discontinuing its sale, under such terms and conditions
305 as are necessary to carry out the purposes of sections 30-68k to 30-68m,
306 inclusive, and section 30-76a.

307 (c) Not later than October 1, 2021, the Department of Consumer

308 Protection shall amend such regulations, in accordance with the
309 provisions of chapter 54, to: (1) Allow for the use of self-pour automated
310 systems by permittees and employees of permittees for the dispensing
311 of beer, cider not exceeding six per cent alcohol by volume and wine
312 pursuant to section 30-62d; [] (2) ensure that such beer, cider and wine
313 is not initially dispensed from any such system in servings of more than
314 thirty-two ounces of beer or cider not exceeding six per cent alcohol by
315 volume, or ten ounces of wine, to any one person for [his or her] such
316 person's own consumption at any one time; [] and (3) ensure that
317 second and subsequent servings of such beer, cider and wine from any
318 such system is allowed only after the first serving has been substantially
319 disposed of or consumed by such person.

320 (d) Not later than October 1, 2023, the Department of Consumer
321 Protection shall amend such regulations, in accordance with the
322 provisions of chapter 54, to provide that: (1) Beer or wine pipe lines and
323 barrel tubes used to dispense alcoholic beverages in places where such
324 dispensing is carried on shall be cleaned, at least once every two weeks,
325 by the use of a hydraulic pressure mechanism, hand pump suction, a
326 force cleaner or any other system approved by the department for such
327 purpose; and (2) after cleaning such lines or tubes, such lines or tubes
328 shall be rinsed with clear water until all chemicals used to clean such
329 lines or tubes, if chemicals were used to clean such lines or tubes, are
330 removed from such lines or tubes.

331 [(d)] (e) The department shall not adopt any regulation: (1) Requiring
332 prior approval of alterations or changes in the interior or exterior of
333 permit premises; (2) requiring prior approval for live entertainment or
334 the installation of amusement devices or games; (3) requiring
335 registration of employees or agents of permittees; (4) requiring the
336 presence of retail permittees on permit premises during hours of sale or
337 prohibiting employment of such permittees in another occupation or
338 business except as provided in section 30-45; (5) establishing a
339 mandated minimum price above which a permittee must sell; or (6)
340 requiring effective separation for restaurants and cafes.

341 Sec. 6. Subsections (a) and (b) of section 30-14 of the general statutes
342 are repealed and the following is substituted in lieu thereof (*Effective*
343 *from passage*):

344 (a) Each permit shall be a purely personal privilege that is revocable
345 in the discretion of the Department of Consumer Protection, and subject
346 to appeal, as provided in section 30-55. Except as otherwise provided in
347 the general statutes, including, but not limited to, sections 30-25, 30-35,
348 30-37b, 30-37d, 30-37g and 30-37h and section 2 of this act, each permit
349 shall expire annually. No permit shall constitute property, be subject to
350 attachment and execution or be alienable, except a permit shall descend
351 to the estate of a deceased permittee by the laws of testate or intestate
352 succession. An airline permit issued under section 30-28a or a cafe
353 permit issued under subsection (h) of section 30-22a, as amended by this
354 act, shall be granted to the airline corporation or railway corporation
355 and not to any person, and the corporation shall be the permittee.

356 (b) Any permit in this part, except a permit issued under sections 30-
357 25, 30-35, 30-37b, 30-37d, 30-37g and 30-37h and section 2 of this act, may
358 be issued for a continuous period of not more than six consecutive
359 calendar months, at two-thirds of regular fees, but rebate of fees shall
360 not be permitted for any unexpired portion of the term of a permit
361 revoked by reason of a violation of any provision of this chapter.

362 Sec. 7. Section 30-16 of the general statutes is repealed and the
363 following is substituted in lieu thereof (*Effective from passage*):

364 (a) As used in this subsection, "proof gallon" has the same meaning
365 as provided in section 12-433, as amended by this act. A manufacturer
366 permit for spirits shall allow the manufacture of spirits and the storage,
367 bottling and wholesale distribution and sale of spirits manufactured or
368 bottled to permittees in this state and without the state as may be
369 permitted by law; but no such permit shall be granted unless the place
370 or the plan of the place of manufacture has received the approval of the
371 Department of Consumer Protection. The holder of a manufacturer
372 permit for spirits who produces less than fifty thousand proof gallons
373 of spirits in a calendar year may sell at retail from the premises sealed

374 bottles or other sealed containers of spirits manufactured on the
375 premises for consumption off the premises, provided such holder shall
376 not sell to any one consumer more than three liters of spirits per day nor
377 more than five gallons of spirits in any two-month period. Retail sales
378 by a holder of a manufacturer permit for spirits shall occur only on the
379 days and times permitted under subsection (d) of section 30-91, as
380 amended by this act. A holder of a manufacturer permit for spirits, alone
381 or in combination with any parent or subsidiary business or related or
382 affiliated party, who sells more than ten thousand gallons of spirits in
383 any calendar year may not sell spirits at wholesale to retail permittees
384 within this state. Such permit shall also authorize the offering and
385 tasting, on the premises of the permittee, of free samples of spirits
386 distilled on the premises. Such free samples of spirits distilled on the
387 premises may be offered for consumption in combination with a
388 nonalcoholic beverage. Tastings shall not exceed two ounces per patron
389 per day and shall not be allowed on such premises on Sunday before
390 eleven o'clock a.m. and after eight o'clock p.m. and on any other day
391 before ten o'clock a.m. and after eight o'clock p.m. No tastings shall be
392 offered to or allowed to be consumed by any minor or intoxicated
393 person. A holder of a manufacturer permit for spirits may apply for and
394 shall receive an out-of-state shipper's permit for manufacturing plants
395 and warehouse locations outside the state owned by such manufacturer
396 or a subsidiary corporation thereof, at least eighty-five per cent of the
397 voting stock of which is owned by such manufacturer, to bring into any
398 of its plants or warehouses in the state spirits for reprocessing,
399 repackaging, reshipment or sale either (1) within the state to wholesaler
400 permittees not owned or controlled by such manufacturer, or (2) outside
401 the state. A holder of a manufacturer permit for spirits may sell spirits
402 manufactured by such manufacturer under a farmers' market sales
403 permit issued under section 30-37o, as amended by this act. The annual
404 fee for a manufacturer permit for spirits shall be one thousand eight
405 hundred fifty dollars.

406 (b) A manufacturer permit for beer shall allow the manufacture of
407 beer and the storage, bottling and wholesale distribution and sale of
408 beer manufactured or bottled on the premises of the permittee to

409 permittees in this state and without the state as may be permitted by
410 law, but no such permit shall be granted unless the place or the plan of
411 the place of manufacture has received the approval of the Department
412 of Consumer Protection. A holder of a manufacturer permit for beer
413 who sells beer brewed on such premises at wholesale to retail permittees
414 within this state shall make such beer available to all holders of a
415 package store permit issued pursuant to section 30-20 and to all holders
416 of a grocery store beer permit held pursuant to said section in the
417 geographical region in which the holder of the manufacturer permit for
418 beer self distributes, subject to reasonable limitations, as determined by
419 the Department of Consumer Protection. [Such permit] A manufacturer
420 permit for beer shall also allow: (1) The retail sale of such beer under a
421 farmers' market sales permit issued under section 30-37o, as amended
422 by this act; (2) the retail sale of such beer, and beer brewed in
423 collaboration with at least one other holder of [such a permit] a
424 manufacturer permit for beer, to be consumed on the premises with or
425 without the sale of food; [, (2)] (3) the selling at retail from the premises
426 of sealed bottles or other sealed containers of beer brewed on such
427 premises, or in collaboration with at least one other holder of [such a
428 permit] a manufacturer permit for beer, for consumption off the
429 premises; [,] and [(3)] (4) the sale of sealed bottles or other sealed
430 containers of beer brewed on such premises to the holder of a wholesaler
431 permit issued pursuant to section 30-17, provided the holder of such
432 permit produces at least five thousand gallons of beer on the premises
433 annually. Such selling at retail from the premises of sealed bottles or
434 other sealed containers shall comply with the provisions of subsection
435 (d) of section 30-91, as amended by this act, and shall permit not more
436 than nine gallons of beer to be sold to any person on any day on which
437 such sale is authorized under the provisions of subsection (d) of section
438 30-91, as amended by this act. The annual fee for a manufacturer permit
439 for beer shall be one thousand four hundred dollars. For the purposes
440 of this subsection and section 30-22d, "collaboration" means an
441 arrangement, other than contract brewing or an alternating
442 proprietorship, under which the holder of a manufacturer permit for
443 beer issued under this subsection works together with at least one other

444 such permit holder to manufacture beer by, among other things, sharing
445 the beer recipe or at least forty-nine per cent of the ingredients or labor
446 necessary to manufacture such beer.

447 (c) (1) A manufacturer permit for a farm winery shall be in all respects
448 the same as a manufacturer permit, except that the scope of operations
449 of the holder shall be limited to wine and brandies distilled from grape
450 products or other fruit products, including grappa and eau-de-vie. As
451 used in this section, "farm winery" means any place or premises that is
452 located on a farm in the state in which wine is manufactured and sold.

453 (2) Such permit shall, at the single principal premises of the farm
454 winery, authorize: (A) [the] The sale in bulk by the holder thereof from
455 the premises where the products are manufactured pursuant to such
456 permit; (B) as to a manufacturer who produces one hundred thousand
457 gallons of wine or less per year, the sale and shipment by the holder
458 thereof to a retailer of wine manufactured by the farm winery permittee
459 in the original sealed containers of not more than fifteen gallons per
460 container; (C) the sale and shipment by the holder thereof of wine
461 manufactured by the farm winery permittee to persons outside the state;
462 (D) the offering and tasting of free samples of such wine or brandy,
463 dispensed out of bottles or containers having capacities of not more than
464 two gallons per bottle or container, to visitors and prospective retail
465 customers for consumption on the premises of the farm winery
466 permittee; (E) the sale at retail from the premises of sealed bottles or
467 other sealed containers of such wine or brandy for consumption off the
468 premises; (F) the sale at retail from the premises of wine or brandy by
469 the glass and bottle to visitors on the premises of the farm winery
470 permittee for consumption on the premises; and (G) subject to the
471 provisions of subdivision (3) of this subsection, the sale and delivery or
472 shipment of wine manufactured by the permittee directly to a consumer
473 in this state. Notwithstanding the provisions of subparagraphs (D), (E)
474 and (F) of this subdivision, a town may, by ordinance or zoning
475 regulation, prohibit any such offering, tasting or selling at retail at
476 premises within such town for which a manufacturer permit for a farm
477 winery has been issued.

478 (3) A permittee, when selling and shipping wine directly to a
479 consumer in this state, shall: (A) Ensure that the shipping labels on all
480 containers of wine shipped directly to a consumer in this state
481 conspicuously state the following: "CONTAINS ALCOHOL—
482 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
483 DELIVERY"; (B) obtain the signature of a person age twenty-one or
484 older at the address prior to delivery, after requiring the signer to
485 demonstrate that [he or she] such signer is age twenty-one or older by
486 providing a valid motor vehicle operator's license or a valid identity
487 card described in section 1-1h; (C) not ship more than five gallons of
488 wine in any two-month period to any person in this state; (D) pay, to the
489 Department of Revenue Services, all sales taxes and alcoholic beverage
490 taxes due under chapters 219 and 220 on sales of wine to consumers in
491 this state, and file, with said department, all sales tax returns and
492 alcoholic beverage tax returns relating to such sales; (E) report to the
493 Department of Consumer Protection a separate and complete record of
494 all sales and shipments to consumers in the state, on a ledger sheet or
495 similar form which readily presents a chronological account of such
496 permittee's dealings with each such consumer; (F) not ship to any
497 address in the state where the sale of alcoholic liquor is prohibited by
498 local option pursuant to section 30-9; and (G) hold an in-state
499 transporter's permit pursuant to section 30-19f or make any such
500 shipment through the use of a person who holds such an in-state
501 transporter's permit.

502 (4) No licensed farm winery may sell any such wine or brandy not
503 manufactured by such winery, except a licensed farm winery may sell
504 from the premises; (A) [wine] Wine manufactured by another farm
505 winery located in this state; [,] and (B) brandy manufactured from fruit
506 harvested in this state and distilled off the premises in this state.

507 (5) The farm winery permittee shall grow on the premises of the farm
508 winery or on property under the same ownership and control of said
509 permittee or leased by the backer of a farm winery permit or by said
510 permittee within the farm winery's principal state an average crop of
511 fruit equal to not less than twenty-five per cent of the fruit used in the

512 manufacture of the farm winery permittee's wine. An average crop shall
513 be defined each year as the average yield of the farm winery permittee's
514 two largest annual crops out of the preceding five years, except that
515 during the first seven years from the date of issuance of a farm winery
516 permit, an average crop shall be defined as three tons of grapes for each
517 acre of vineyard farmed by the farm winery permittee. Such seven-year
518 period shall not begin anew if the property for which the farm winery
519 permit is held is transferred or sold during such seven-year period. In
520 the event the farm winery consists of more than one property, the
521 aggregate acreage of the farm winery shall not be less than five acres.

522 (6) A holder of a manufacturer permit for a farm winery, when
523 advertising or offering wine for direct shipment to a consumer in this
524 state via the Internet or any other on-line computer network, shall
525 clearly and conspicuously state such liquor permit number in its
526 advertising.

527 (7) A holder of a manufacturer permit for a farm winery may sell and
528 offer free tastings of wine manufactured from such winery at a farmers'
529 market, as defined in section 22-6r, that is operated as a nonprofit
530 enterprise or association, provided such farmers' market invites such
531 holder to sell wine at such farmers' market and such holder has a
532 farmers' market wine sales permit issued by the Commissioner of
533 Consumer Protection in accordance with the provisions of [subsection
534 (a) of] section 30-37o, as amended by this act.

535 (8) The annual fee for a manufacturer permit for a farm winery shall
536 be three hundred dollars.

537 (d) (1) A manufacturer permit for wine, cider and mead shall allow
538 the manufacture of wine, cider not exceeding six per cent alcohol by
539 volume, apple wine not exceeding fifteen per cent alcohol by volume,
540 apple brandy, eau-de-vie and mead and the storage, bottling and
541 wholesale distribution and sale of wine, cider not exceeding six per cent
542 alcohol by volume, apple wine not exceeding fifteen per cent alcohol by
543 volume, apple brandy, eau-de-vie and mead manufactured or bottled
544 by the permit holder to permittees in this state and without the state as

545 may be permitted by law; but no such permit shall be granted unless the
546 place or the plan of the place of manufacture has received the approval
547 of the Department of Consumer Protection.

548 (2) Such permit shall, at a single principal premises, authorize: (A)
549 [the] The sale in bulk by the holder thereof from the premises where the
550 products are manufactured pursuant to such permit; (B) as to a
551 manufacturer who produces one hundred thousand gallons or less per
552 year of products manufactured pursuant to such permit, the sale and
553 shipment by the holder thereof to a retailer of such products
554 manufactured by the permittee in the original sealed containers of not
555 more than fifteen gallons per container; (C) the sale and shipment by the
556 holder thereof of such products manufactured by the permittee to
557 persons outside the state; (D) the offering and tasting of free samples of
558 such products, dispensed out of bottles or containers having capacities
559 of not more than two gallons per bottle or container, to visitors and
560 prospective retail customers for consumption on the premises of the
561 permittee; (E) subject to the provisions of subsection (d) of section 30-91,
562 as amended by this act, the sale at retail from the premises of sealed
563 bottles or other sealed containers of such products for consumption off
564 the premises; (F) the sale at retail from the premises of such products by
565 the glass and bottle to visitors on the premises of the permittee for
566 consumption on the premises; and (G) subject to the provisions of
567 subdivision (3) of this subsection, the sale and delivery or shipment of
568 such products manufactured by the permittee directly to a consumer in
569 this state. Notwithstanding the provisions of subparagraphs (D), (E) and
570 (F) of this subdivision, a town may, by ordinance or zoning regulation,
571 prohibit any such offering, tasting or selling at retail at premises within
572 such town for which a manufacturer permit has been issued.

573 (3) A permittee, when selling and shipping a product produced
574 pursuant to this permit, directly to a consumer in this state, shall: (A)
575 Ensure that the shipping labels on all containers of such products
576 shipped directly to a consumer in this state conspicuously state the
577 following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON
578 AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (B) obtain the

579 signature of a person age twenty-one or older at the address prior to
580 delivery, after requiring the signer to demonstrate that [he or she] such
581 signer is age twenty-one or older by providing a valid motor vehicle
582 operator's license or a valid identity card described in section 1-1h; (C)
583 not ship more than five gallons of product produced pursuant to this
584 permit in any two-month period to any person in this state; (D) pay, to
585 the Department of Revenue Services, all sales taxes and alcoholic
586 beverage taxes due under chapters 219 and 220 on sales of products
587 produced pursuant to this permit to consumers in this state, and file,
588 with said department, all sales tax returns and alcoholic beverage tax
589 returns relating to such sales; (E) report to the Department of Consumer
590 Protection a separate and complete record of all sales and shipments to
591 consumers in the state, on a ledger sheet or similar form which readily
592 presents a chronological account of such permittee's dealings with each
593 such consumer; (F) not ship to any address in the state where the sale of
594 alcoholic liquor is prohibited by local option pursuant to section 30-9;
595 and (G) hold an in-state transporter's permit pursuant to section 30-19f
596 or make any such shipment through the use of a person who holds such
597 an in-state transporter's permit.

598 (4) No holder of a manufacturer permit for wine, cider and mead may
599 sell any product not manufactured by such permit holder, except such
600 permittee may sell from the premises; (A) [wine] Wine, cider not
601 exceeding six per cent alcohol by volume, apple wine not exceeding
602 fifteen per cent alcohol by volume, apple brandy and eau-de-vie and
603 mead manufactured by another such permit holder located in this state;
604 [] and (B) brandy manufactured from fruit harvested in this state and
605 distilled off the premises in this state.

606 (5) A holder of a manufacturer permit for wine, cider and mead,
607 when advertising or offering products for direct shipment to a consumer
608 in this state via the Internet or any other on-line computer network, shall
609 clearly and conspicuously state such liquor permit number in its
610 advertising.

611 (6) A holder of a manufacturer permit for wine, cider and mead may

612 sell and offer free tastings of products produced pursuant to such permit
613 that are manufactured by such permit holder at a farmers' market, as
614 defined in section 22-6r, that is operated as a nonprofit enterprise or
615 association, provided such farmers' market invites such holder to sell
616 such products at such farmers' market and such holder has a farmers'
617 market sales permit issued by the Commissioner of Consumer
618 Protection in accordance with the provisions of [subsection (a) of]
619 section 30-37o, as amended by this act.

620 (7) The annual fee for a manufacturer permit for wine, cider and
621 mead shall be two hundred dollars.

622 Sec. 8. Section 30-22a of the general statutes is repealed and the
623 following is substituted in lieu thereof (*Effective October 1, 2023*):

624 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
625 consumed on the premises of a cafe. The holder of a cafe permit shall
626 keep food available for sale to its customers for consumption on the
627 premises during the majority of the hours such premises are open. The
628 availability of food from outside vendors located on or near the
629 premises, who may directly deliver such food or indirectly deliver such
630 food through a third party, shall be deemed compliance with such
631 requirement. The licensed premises shall at all times comply with all the
632 regulations of the local department of health. Nothing herein shall be
633 construed to require that any food be sold or purchased with any
634 alcoholic liquor, nor shall any rule, regulation or standard be
635 promulgated or enforced to require that sales of food be substantial or
636 that the business's receipts from sales of alcoholic liquor equal any set
637 percentage of total receipts from all sales made on the licensed premises.
638 A cafe permit shall allow, with the prior approval of the Department of
639 Consumer Protection, alcoholic liquor to be served at tables in outside
640 areas that are screened or not screened from public view where
641 permitted by fire, zoning and health regulations. If not required by fire,
642 zoning or health regulations, a fence or wall enclosing such outside
643 areas shall not be required by the Department of Consumer Protection.
644 No fence or wall used to enclose such outside areas shall be less than

645 thirty inches high. Such permit shall also authorize the sale at retail from
646 the premises of sealed containers, supplied by the permittee, of draught
647 beer for consumption off the premises. Such sales shall be conducted
648 only during the hours a package store is permitted to sell alcoholic
649 liquor under the provisions of subsection (d) of section 30-91, as
650 amended by this act. Not more than four liters of such beer shall be sold
651 to any person on any day on which the sale of alcoholic liquor is
652 authorized under the provisions of subsection (d) of section 30-91, as
653 amended by this act. The annual fee for a cafe permit shall be two
654 thousand dollars, except the annual fee for a cafe permit for a prior
655 holder of a tavern permit issued under section 30-26 shall be eight
656 hundred dollars for the first year, twelve hundred dollars for the second
657 year, one thousand six hundred dollars for the third year and two
658 thousand dollars for each year thereafter.

659 (b) (1) A cafe patron may remove one unsealed bottle of wine for off-
660 premises consumption, provided the patron has purchased a full course
661 meal and consumed a portion of the wine with such meal on the cafe
662 premises. For purposes of this section, "full course meal" means a
663 diversified selection of food which (A) ordinarily cannot be consumed
664 without the use of tableware, and (B) cannot be conveniently consumed
665 while standing or walking.

666 (2) A partially consumed bottle of wine that is to be removed from
667 the premises under this subsection shall be securely sealed and placed
668 in a bag by the permittee or the permittee's agent or employee prior to
669 removal from the premises.

670 (c) As used in this section, "cafe" means space in a suitable and
671 permanent building, vessel or structure, kept, used, maintained,
672 advertised and held out to the public to be a place where alcoholic liquor
673 and food is served for sale at retail for consumption on the premises but
674 which does not necessarily serve hot meals; it shall have no sleeping
675 accommodations for the public and need not necessarily have a kitchen
676 or dining room but shall have employed therein at all times an adequate
677 number of employees.

678 (d) For purposes of compliance with this section, "cafe" includes any
679 location in a passenger terminal complex of any airport, as defined in
680 section 15-34, or any location adjacent to and attached by common
681 partition to such complex, which is open to the public or to airline club
682 members or their guests, with or without the sale of food, for
683 consumption on the premises.

684 (e) For purposes of compliance with this section, "cafe" includes all of
685 the land and buildings in which the principal business conducted is
686 racing or jai alai exhibitions, with pari-mutuel betting licensed by the
687 Department of Consumer Protection.

688 (f) For purposes of compliance with this section, "cafe" includes any
689 commercial bowling establishment containing ten or more lanes, or any
690 commercial racquetball or tennis facility containing five or more courts,
691 with or without food, for consumption on the premises.

692 (g) For purposes of compliance with this section, "cafe" includes the
693 premises and grounds of a golf country club, defined as: (1) An
694 association of persons, whether incorporated or unincorporated, that
695 has been in existence as a bona fide organization for at least one year
696 prior to applying for a permit issued as provided by this chapter, or that
697 at the time of applying for the permit is in existence as a bona fide
698 organization and has not less than twenty members who have paid
699 annual membership fees or dues and have signed affidavits of their
700 intention to remain members of the association for not less than one year
701 after that time, not including associations organized for any commercial
702 or business purpose the object of which is money profit, which
703 maintains a golf course of not less than eighteen holes and a course
704 length of at least fifty-five hundred yards and a club house with facilities
705 that include locker rooms, a dining room and a lounge; provided the
706 club shall file with the department, upon request, within ten days of
707 February first in each year, a list of the names and residences of its
708 members, and shall similarly file, within ten days of the election of any
709 additional member, his name and address, and provided its aggregate
710 annual membership fees or dues and other income, exclusive of any

711 proceeds of the sale of alcoholic liquor, shall be sufficient to defray the
712 annual rental of its leased or rented premises, or, if the premises are
713 owned by the club, shall be sufficient to meet the taxes, insurance and
714 repairs and the interest on any mortgage thereof; and provided, further,
715 its affairs and management shall be conducted by a board of directors,
716 executive committee or similar body chosen by the members at their
717 annual meeting, and no member or any officer, agent or employee of the
718 club shall be paid or, directly or indirectly, shall receive in the form of
719 salary or other compensation any profits from the disposition or sale of
720 alcoholic liquor to the club or to the members of the club or its guests
721 introduced by members, beyond the amount of such salary as may be
722 fixed and voted at annual meetings by the members or by its directors
723 or other governing body and as reported by the club to the department,
724 within three months after the annual meeting, and as is, in the judgment
725 of the department, reasonable and proper compensation for the services
726 of such member, officer, agent or employee; or (2) an association of
727 persons, whether incorporated or unincorporated, which has been in
728 existence as a bona fide organization for at least one year prior to
729 applying for a permit issued as provided by this chapter, or which at the
730 time of applying for the permit is in existence as a bona fide organization
731 and has not less than twenty members who have paid annual
732 membership fees or dues and is directly or indirectly wholly owned by
733 a corporation which is and continues to be nonprofit and to which the
734 Internal Revenue Service has issued a ruling classifying it as an exempt
735 organization under Section 501(c) of the Internal Revenue Code of 1986,
736 or any subsequent corresponding internal revenue code of the United
737 States, as amended from time to time, which maintains a golf course of
738 not less than eighteen holes and a course length of at least fifty-five
739 hundred yards and a club house with facilities which include locker
740 rooms, a dining room and a lounge; provided the club shall file with the
741 department, upon request, within ten days of February first in each year,
742 a list of the names and residences of its members, and shall similarly file,
743 within ten days of the admission of any additional member, his name
744 and address. The nonprofit corporation shall demonstrate to the
745 commission an ability to pay any operating deficit of the golf country

746 club, exclusive of any proceeds of the sale of alcoholic liquor; and
747 provided, further, the affairs and the management of the nonprofit
748 corporation are conducted by a board of directors, executive committee
749 or similar body at least forty per cent of the members of which are
750 chosen by the members of the nonprofit corporation at their annual
751 meeting and the balance of the members of the board of directors are
752 professionals chosen for their knowledge of the business of the
753 nonprofit corporation, and all moneys earned by the golf country club
754 shall be used to defray its expenses of operation or for charitable
755 purposes, and any balance shall be directly or indirectly remitted to the
756 nonprofit corporation.

757 (h) For purposes of compliance with this section, "cafe" includes any
758 corporation that operates a railway in this state or that operates club,
759 parlor, dining, buffet or lounge cars upon the lines of any such railway
760 in this state. It shall allow the sale and public consumption of alcoholic
761 liquor in any club, parlor, dining, buffet or lounge car of a passenger
762 train operated in this state. It shall be subject to all the privileges,
763 obligations and penalties provided for in this chapter except that it shall
764 be issued to a corporation instead of to a person and, if it is revoked,
765 another application may be made by the corporation for the issuance of
766 another railroad permit at any time after the expiration of one year after
767 such revocation.

768 (i) For purposes of compliance with this section, "cafe" includes a
769 facility designed, constructed and used for corporate and private
770 parties, sporting events, concerts, exhibitions, trade shows,
771 entertainment presentations, conventions, banquets, meetings, dances,
772 fund-raising events and similar functions, located on a tract of land of
773 not less than twenty acres containing an enclosed roofed pavilion
774 constructed to seat not less than two hundred fifty people, where hot
775 meals are regularly served in an adequate and sanitary dining area, such
776 meals having been prepared in an adequate and sanitary kitchen on the
777 premises, and employing an adequate number of employees who shall
778 serve only persons who are at such outing facility to attend an event,
779 function, private party or banquet.

780 (j) For purposes of compliance with this section, "cafe" includes: (1) A
781 room or building that is subject to the care, custody and control of The
782 University of Connecticut Board of Trustees; (2) land and buildings
783 which are subject to the care, custody and control of an institution
784 offering a program of higher learning, as defined in section 10a-34,
785 which has been accredited by the Board of Regents for Higher Education
786 or is authorized by the Office of Higher Education to award a degree
787 pursuant to section 10a-34; or (3) on land or in a building situated on or
788 abutting a golf course which is subject to the care, custody and control
789 of an institution offering a program of higher learning, as defined in
790 section 10a-34, which has been accredited by the Board of Regents for
791 Higher Education or is authorized by the Office of Higher Education to
792 award a degree pursuant to section 10a-34.

793 (k) For purposes of compliance with this section, "cafe" includes a
794 tobacco bar that: (1) During the calendar year ending December 31, 2002,
795 generated at least ten per cent of its total annual gross income from on-
796 site sales of tobacco products and rentals of on-site humidors; or (2)
797 commences operations on or after October 1, 2023, and generates at least
798 sixty per cent of such tobacco bar's gross income in a calendar year from
799 on-site sales of tobacco products and rentals of on-site humidors.

800 Sec. 9. Section 30-22e of the general statutes is repealed and the
801 following is substituted in lieu thereof (*Effective from passage*):

802 (a) A seasonal outdoor open-air permit shall allow the retail sale of
803 alcoholic liquor for consumption on a lot, yard, green or other outdoor
804 open space, provided: (1) The retail sale and consumption of alcoholic
805 liquor is allowed in such space by the applicable local zoning, health
806 and fire marshal officials; (2) the permitted premises is not more than
807 one [square] acre in size; (3) a temporary fence or a wall not less than
808 thirty inches high encloses the permitted area; (4) restrooms or enclosed
809 portable toilets are available either within the permitted area or nearby;
810 and (5) food is available for sale to consumers for consumption on the
811 permitted premises during all hours that the permittee is engaging in
812 the retail sale of alcoholic liquor. Any such food may be prepared on the

813 permitted premises, be provided by a food truck or a caterer [] or
814 consist of prepackaged items. The availability of area menus for delivery
815 shall be deemed in compliance with the requirements of this subsection.
816 Nothing in this section shall be construed to require that food be
817 purchased with an alcoholic beverage.

818 (b) Tents, mobile units and other temporary fixtures may be included
819 within the permitted premises. A permittee under this section shall
820 maintain the permitted premises in a manner consistent with all
821 applicable local zoning, health and fire requirements.

822 (c) The seasonal outdoor open-air permit shall be effective either
823 April first to September thirtieth, inclusive, or May first to October
824 thirty-first, inclusive, of the same year. Such permit shall be issued by
825 the Department of Consumer Protection subject to the limitations on
826 hours of operation for a restaurant permittee, as specified in section 30-
827 91, as amended by this act. No such permit shall be renewable, [] and
828 the department shall not issue a provisional seasonal outdoor open-air
829 permit.] Any backer of the permittee may apply for only one seasonal
830 outdoor open-air permit per calendar year. The provisions of
831 subdivision (3) of subsection (b) and subsection (c) of section 30-39, as
832 amended by this act, [do] shall not apply to seasonal outdoor open-air
833 permits. The annual fee for each seasonal outdoor open-air permit shall
834 be two thousand dollars.

835 (d) The seasonal outdoor open-air permit shall allow the sale at retail
836 of draught beer for [off-premise] off-premises consumption in sealed
837 containers supplied by the permittee. Such sales shall be conducted only
838 during the hours a package store is permitted to sell alcoholic liquor
839 under the provisions of subsection (d) of section 30-91, as amended by
840 this act. Not more than four liters of such beer shall be sold to any person
841 on any day on which the sale of alcoholic liquor is authorized under the
842 provisions of subsection (d) of section 30-91, as amended by this act.

843 Sec. 10. Section 30-37o of the general statutes is repealed and the
844 following is substituted in lieu thereof (*Effective from passage*):

845 (a) The Commissioner of Consumer Protection shall issue a farmers'
846 market sales permit to [a] the holder of a manufacturer permit [for a
847 farm winery, the holder of a manufacturer permit for wine, cider and
848 mead or the holder of a manufacturer permit for beer] issued under
849 section 30-16, as amended by this act, upon submission of proof to the
850 commissioner that such holder is in compliance with the [applicable]
851 permit requirements [of] established in subsection (a), (b), (c) or (d) of
852 section 30-16, as amended by this act, as applicable. [Such permit] A
853 farmers' market sales permit issued under this section shall authorize
854 the sale of products manufactured by [such permittees] the
855 manufacturer permittee during an unlimited number of appearances at
856 a farmers' market, at not more than ten farmers' market locations per
857 year, provided [such] the holder of such permit:

858 (1) Has received an invitation from such farmers' market to sell such
859 products at such farmers' market; [.]

860 (2) [only] Only sells such products by the bottle or sealed container at
861 such farmers' [markets,] market; and

862 (3) [is] Is present, or has an authorized representative present, at the
863 time [of sale of any] each such product [from such permit holder] is sold
864 at such farmers' market [. Any such permit] under such permit.

865 (b) Each farmers' market sales permit issued under this section shall
866 be valid for a [period of one year from the date of issuance] one-year
867 period beginning on the date the commissioner issues such permit. The
868 annual fee for [such] each farmers' market sales permit shall be two
869 hundred fifty dollars, [. There] and there shall be a nonrefundable one-
870 hundred-dollar [, nonrefundable] filing fee for [any] each such permit.

871 [(b)] (c) Any town or municipality may, by ordinance or zoning
872 regulation, prohibit the sale of [such] products manufactured by the
873 [holder of such permit at a farmers' market] holders of farmers' market
874 sales permits issued under this section at farmers' markets held in such
875 town or municipality.

876 Sec. 11. Subsections (a) to (g), inclusive, of section 30-37t of the
877 general statutes are repealed and the following is substituted in lieu
878 thereof (*Effective from passage*):

879 (a) For the purposes of this section:

880 (1) "Eligible manufacturer" means the holder of a manufacturer
881 permit for (A) spirits issued under subsection (a) of section 30-16, as
882 amended by this act, (B) beer issued under subsection (b) of section 30-
883 16, as amended by this act, (C) a farm winery issued under subsection
884 (c) of section 30-16, as amended by this act, or (D) wine, cider and mead
885 issued under subsection (d) of section 30-16, as amended by this act; and

886 (2) "Festival sponsor" means an entity (A) operating on a nonprofit
887 basis in this state, including, but not limited to, [(A)] (i) an association,
888 or a subsidiary of an association, that promotes manufacturing and
889 selling alcoholic liquor in this state, [(B)] (ii) a civic organization
890 operating in this state, and [(C)] (iii) a municipality in this state, or (B)
891 operating on a for-profit basis in this state that (i) is registered with the
892 Secretary of the State to do business in this state, and (ii) does not hold
893 any other permit issued under this chapter.

894 (b) A festival permit shall allow a festival sponsor to organize and
895 sponsor a festival in this state in accordance with the provisions of this
896 section by inviting eligible manufacturers to participate in such festival.
897 Each festival permit issued by the Commissioner of Consumer
898 Protection under this section shall be effective for not more than four
899 consecutive days, and shall allow the festival sponsor to hold the festival
900 on the days and times permitted under subsection (j) of section 30-91, as
901 amended by this act. The fee for [each] a festival permit issued to a
902 festival sponsor under this section shall be (1) seventy-five dollars if the
903 festival sponsor is operating on a nonprofit basis in this state, or (2) two
904 hundred seventy-five dollars if the festival sponsor is operating on a for-
905 profit basis in this state.

906 (c) The commissioner shall not issue a festival permit under this
907 section unless the festival sponsor has received all approvals required

908 under local fire and zoning regulations.

909 (d) The festival sponsor shall disclose to each person who purchases
910 admission to the festival, at the time such person purchases such
911 admission, any and all restrictions or limitations of such admission,
912 including, but not limited to, the maximum number of glasses or other
913 receptacles suitable to permit the consumption of alcoholic liquor such
914 person is entitled to receive by virtue of purchasing such admission.

915 (e) Any municipality may, by ordinance or zoning regulation,
916 prohibit festivals in such municipality.

917 (f) Any eligible manufacturer may participate in a festival organized
918 and sponsored by a festival sponsor that invites such eligible
919 manufacturer to participate in such festival.

920 (g) Each participating eligible manufacturer may, during the festival
921 and for the alcoholic liquor such participating eligible manufacturer has
922 manufactured:

923 (1) Offer to festival visitors free or paid samples or tastings of
924 alcoholic liquor for consumption on the festival premises, in accordance
925 with the provisions of section 30-16, as amended by this act; [and]

926 [(2) Unless such participating eligible manufacturer is the holder of
927 an out-of-state shipper's permit for beer issued under section 30-19:]

928 [(A)] (2) Sell and directly ship to festival visitors, if allowed under
929 section 30-16, as amended by this act, alcoholic liquor that such
930 participating eligible manufacturer sells to festival visitors at such
931 festival;

932 [(B)] (3) Sell, at retail, for consumption off the festival premises and
933 in accordance with the provisions of section 30-16, as amended by this
934 act, bottles and other sealed containers of alcoholic liquor; and

935 [(C)] (4) Sell, at retail, alcoholic liquor by the glass or receptacle for
936 consumption on the festival premises, provided each such glass or

937 receptacle is embossed or otherwise permanently labeled with the name
938 and date of the festival.

939 Sec. 12. Subsection (b) of section 30-39 of the general statutes is
940 repealed and the following is substituted in lieu thereof (*Effective from*
941 *passage*):

942 (b) (1) Any person desiring a liquor permit or a renewal of such a
943 permit shall make an affirmed application therefor to the Department of
944 Consumer Protection, upon forms to be furnished by the department,
945 showing the name and address of the applicant and of the applicant's
946 backer, if any, the location of the club or place of business which is to be
947 operated under such permit and a financial statement setting forth all
948 elements and details of any business transactions connected with the
949 application. Such application shall include a detailed description of the
950 type of live entertainment that is to be provided. A club or place of
951 business shall be exempt from providing such detailed description if the
952 club or place of business (A) was issued a liquor permit prior to October
953 1, 1993, and (B) has not altered the type of entertainment provided. The
954 application shall also indicate any crimes of which the applicant or the
955 applicant's backer may have been convicted. Applicants shall submit
956 documents, only upon initial application, sufficient to establish that
957 state and local building, fire and zoning requirements and local
958 ordinances concerning hours and days of sale will be met, except that
959 local building and zoning requirements and local ordinances
960 concerning hours and days of sale shall not apply to a cafe permit issued
961 under subsection (d) or (h) of section 30-22a, as amended by this act. The
962 State Fire Marshal or the marshal's certified designee shall be
963 responsible for approving compliance with the State Fire Code at
964 Bradley International Airport. Any person desiring a permit provided
965 for in section 30-33b shall file a copy of such person's license with such
966 application if such license was issued by the Department of Consumer
967 Protection. The department may, at its discretion, conduct an
968 investigation to determine whether a permit shall be issued to an
969 applicant. Completion of an inspection pursuant to subsection (f) of
970 section 29-305, as amended by this act, shall not be deemed to constitute

971 a precondition to renewal of a permit that is subject to subsection (f) of
972 section 29-305, as amended by this act.

973 (2) The applicant shall pay to the department a nonrefundable
974 application fee, which fee shall be in addition to the fees prescribed in
975 this chapter for the permit sought. An application fee shall not be
976 charged for an application to renew a permit. The application fee shall
977 be in the amount of ten dollars for the filing of each application for a
978 permit by a charitable organization under section 30-37b, including a
979 nonprofit public television corporation under section 30-37d, a
980 nonprofit golf tournament permit under section 30-37g, a temporary
981 permit under section 30-35 or a special club permit under section 30-25;
982 and in the amount of one hundred dollars for the filing of an initial
983 application for all other permits. Any permit issued shall be valid only
984 for the purposes and activities described in the application.

985 (3) The applicant, immediately after filing an application, shall give
986 notice thereof, with the name and residence of the permittee, the type of
987 permit applied for and the location of the place of business for which
988 such permit is to be issued and the type of live entertainment to be
989 provided, all in a form prescribed by the department, by publishing the
990 same in a newspaper having a circulation in the town in which the place
991 of business to be operated under such permit is to be located, at least
992 once a week for two successive weeks, the first publication to be not
993 more than seven days after the filing date of the application and the last
994 publication not more than fourteen days after the filing date of the
995 application. The applicant shall affix, and maintain in a legible condition
996 upon the outer door of the building wherein such place of business is to
997 be located and clearly visible from the public highway, the placard
998 provided by the department, not later than the day following the receipt
999 of the placard by the applicant. If such outer door of such premises is so
1000 far from the public highway that such placard is not clearly visible as
1001 provided, the department shall direct a suitable method to notify the
1002 public of such application. When an application is filed for any type of
1003 permit for a building that has not been constructed, such applicant shall
1004 erect and maintain in a legible condition a sign not less than six feet by

1005 four feet upon the site where such place of business is to be located,
1006 instead of such placard upon the outer door of the building. The sign
1007 shall set forth the type of permit applied for and the name of the
1008 proposed permittee, shall be clearly visible from the public highway and
1009 shall be so erected not later than the day following the receipt of the
1010 placard. Such applicant shall make a return to the department, under
1011 oath, of compliance with the foregoing requirements, in such form as
1012 the department may determine, but the department may require any
1013 additional proof of such compliance. Upon receipt of evidence of such
1014 compliance, the department may hold a hearing as to the suitability of
1015 the proposed location. The provisions of this subdivision shall not apply
1016 to applications for (A) airline permits issued under section 30-28a, (B)
1017 charitable organization permits issued under section 30-37b, (C)
1018 temporary permits issued under section 30-35, (D) special club permits
1019 issued under section 30-25, (E) concession permits issued under section
1020 30-33, (F) military permits issued under section 30-34, (G) cafe permits
1021 issued under subsection (h) of section 30-22a, as amended by this act,
1022 (H) warehouse permits issued under section 30-32, (I) broker's permits
1023 issued under section 30-30, (J) out-of-state shipper's permits for
1024 alcoholic liquor issued under section 30-18, (K) out-of-state shipper's
1025 permits for beer issued under section 30-19, (L) coliseum permits issued
1026 under section 30-33a, (M) nonprofit golf tournament permits issued
1027 under section 30-37g, (N) nonprofit public television corporation
1028 permits issued under section 30-37d, (O) Connecticut craft cafe permits
1029 issued under section 30-22d to permittees who held a manufacturer
1030 permit for a brew pub or a manufacturer permit for beer issued under
1031 subsection (b) of section 30-16, as amended by this act, and a brew pub
1032 before July 1, 2020, (P) off-site farm winery sales and wine, cider and
1033 mead tasting permits issued under section 30-16a, (Q) out-of-state
1034 retailer shipper's permits for wine issued under section 30-18a, (R) out-
1035 of-state winery shipper's permits for wine issued under section 30-18a,
1036 (S) in-state transporter's permits for alcoholic liquor issued under
1037 section 30-19f, including, but not limited to, boats operating under such
1038 permits, (T) seasonal outdoor open-air permits issued under section 30-
1039 22e, as amended by this act, (U) festival permits issued under section 30-

1040 37t, as amended by this act, (V) temporary auction permits issued under
1041 section 2 of this act, (W) outdoor open-air permits issued under section
1042 3 of this act, and [(V)] (X) renewals of any permit described in
1043 subparagraphs (A) to [(U)] (W), inclusive, of this subdivision, if
1044 applicable. The provisions of this subdivision regarding publication and
1045 placard display shall also be required of any applicant who seeks to
1046 amend the type of entertainment either upon filing of a renewal
1047 application or upon requesting permission of the department in a form
1048 that requires the approval of the municipal zoning official.

1049 (4) In any case in which a permit has been issued to a partnership, if
1050 one or more of the partners dies or retires, the remaining partner or
1051 partners need not file a new application for the unexpired portion of the
1052 current permit, and no additional fee for such unexpired portion shall
1053 be required. Notice of any such change shall be given to the department
1054 and the permit shall be endorsed to show correct ownership. When any
1055 partnership changes by reason of the addition of one or more persons, a
1056 new application with new fees shall be required.

1057 Sec. 13. Subsection (a) of section 30-48 of the general statutes is
1058 repealed and the following is substituted in lieu thereof (*Effective from*
1059 *passage*):

1060 (a) No backer or permittee of one permit class shall be a backer or
1061 permittee of any other permit class except in the case of airline permits
1062 issued under section 30-28a, boats operating under in-state transporter's
1063 permits issued under section 30-19f, and cafe permits issued under
1064 subsections (d) and (h) of section 30-22a, as amended by this act, except
1065 that: (1) A backer of a hotel permit issued under section 30-21 or a
1066 restaurant permit issued under section 30-22 may be a backer of both
1067 such classes; (2) a holder or backer of a restaurant permit issued under
1068 section 30-22 or a cafe permit issued under subsection (a) of section 30-
1069 22a, as amended by this act, may be a holder or backer of any other or
1070 all of such classes; (3) a holder or backer of a restaurant permit issued
1071 under section 30-22 may be a holder or backer of a cafe permit issued
1072 under subsection (f) of section 30-22a, as amended by this act; (4) a

1073 backer of a restaurant permit issued under section 30-22 may be a backer
1074 of a coliseum permit issued under section 30-33a when such restaurant
1075 is within a coliseum; (5) a backer of a hotel permit issued under section
1076 30-21 may be a backer of a coliseum permit issued under section 30-33a;
1077 (6) a backer of a grocery store beer permit issued under subsection (c) of
1078 section 30-20 may be (A) a backer of a package store permit issued under
1079 subsection (b) of section 30-20 if such was the case on or before May 1,
1080 1996, and (B) a backer of a restaurant permit issued under section 30-22,
1081 provided the restaurant permit premises do not abut or share the same
1082 space as the grocery store beer permit premises; (7) a backer of a cafe
1083 permit issued under subsection (j) of section 30-22a, as amended by this
1084 act, may be a backer of a nonprofit theater permit issued under section
1085 30-35a; (8) a backer of a nonprofit theater permit issued under section
1086 30-35a may be a holder or backer of a hotel permit issued under section
1087 30-21 or a coliseum permit issued under section 30-33a; (9) a backer of a
1088 concession permit issued under section 30-33 may be a backer of a
1089 coliseum permit issued under section 30-33a; (10) a holder of an out-of-
1090 state winery shipper's permit for wine issued under section 30-18a may
1091 be a holder of an in-state transporter's permit issued under section 30-
1092 19f; (11) a holder of an out-of-state shipper's permit for alcoholic liquor
1093 issued under section 30-18 or an out-of-state winery shipper's permit for
1094 wine issued under section 30-18a may be a holder of an in-state
1095 transporter's permit issued under section 30-19f; (12) a holder of a
1096 manufacturer permit for a farm winery issued under subsection (c) of
1097 section 30-16, as amended by this act, or a manufacturer permit for wine,
1098 cider and mead issued under subsection (d) of section 30-16, as
1099 amended by this act, may be a holder of an in-state transporter's permit
1100 issued under section 30-19f, [a farmers' market sales permit issued
1101 under subsection (a) of section 30-37o,] an off-site farm winery sales and
1102 tasting permit issued under section 30-16a or any combination of such
1103 permits; (13) [a holder of a manufacturer permit for beer issued under
1104 subsection (b) of section 30-16 may be a holder of a farmers' market sales
1105 permit issued under subsection (a) of section 30-37o; (14)] the holder of
1106 a manufacturer permit for spirits, beer, a farm winery or wine, cider and
1107 mead, issued under subsection (a), (b), (c) or (d), respectively, of section

1108 30-16, as amended by this act, may be a holder of a Connecticut craft
1109 cafe permit issued under section 30-22d, a restaurant permit or a
1110 restaurant permit for wine and beer issued under section 30-22 [~~;~~ (15)]
1111 or a farmers' market sales permit issued under section 30-37o, as
1112 amended by this act; (14) the holder of a restaurant permit issued under
1113 section 30-22, a cafe permit issued under section 30-22a, as amended by
1114 this act, or an in-state transporter's permit issued under section 30-19f,
1115 may be the holder of a seasonal outdoor open-air permit issued under
1116 section 30-22e, as amended by this act, or an outdoor open-air permit
1117 issued under section 3 of this act; and [(16)] (15) the holder of a festival
1118 permit issued under section 30-37t, as amended by this act, may be the
1119 holder or backer of one or more of such other classes. Any person may
1120 be a permittee of more than one permit. No holder of a manufacturer
1121 permit for beer issued under subsection (b) of section 30-16, as amended
1122 by this act, and no spouse or child of such holder may be a holder or
1123 backer of more than three restaurant permits issued under section 30-22
1124 or cafe permits issued under section 30-22a, as amended by this act.

1125 Sec. 14. Subsections (d) to (k), inclusive, of section 30-91 of the general
1126 statutes are repealed and the following is substituted in lieu thereof
1127 (*Effective from passage*):

1128 (d) The sale or dispensing of alcoholic liquor for off-premises
1129 consumption in places operating under package store permits issued
1130 under subsection (b) of section 30-20, druggist permits issued under
1131 section 30-36, manufacturer permits issued under section 30-16, as
1132 amended by this act, grocery store beer permits issued under subsection
1133 (c) of section 30-20, [~~or~~] religious wine retailer permits issued under
1134 section 30-37s or temporary auction permits issued under section 2 of
1135 this act shall be unlawful on Thanksgiving Day, New Year's Day and
1136 Christmas; and such sale or dispensing of alcoholic liquor for off-
1137 premises consumption in places operating under package store permits,
1138 druggist permits, manufacturer permits for beer, grocery store beer
1139 permits, [~~and~~] religious wine retailer permits, temporary auction
1140 permits and event sales permits shall be unlawful on Sunday before ten
1141 o'clock a.m. and after six o'clock p.m. and on any other day before eight

1142 o'clock a.m. and after ten o'clock p.m. Any town may, by a vote of a town
1143 meeting or by ordinance, reduce the number of hours during which
1144 such sale shall be permissible.

1145 (e) (1) In the case of any premises operating under a cafe permit
1146 issued under subsection (c) of section 30-22a, as amended by this act, or
1147 a Connecticut craft cafe permit issued under section 30-22d, and
1148 wherein, under the provisions of this section, the sale of alcoholic liquor
1149 is forbidden on certain days or hours of the day, or during the period
1150 when such permit is suspended, it shall likewise be unlawful to keep
1151 such premises open to, or permit such premises to be occupied by, the
1152 public on such days or hours.

1153 (2) In the case of any premises operating under a cafe permit, it shall
1154 be unlawful to keep such premises open to, or permit such premises to
1155 be occupied by, the public between the hours of one o'clock a.m. and six
1156 o'clock a.m. on Monday, Tuesday, Wednesday, Thursday and Friday
1157 and between the hours of two o'clock a.m. and six o'clock a.m. on
1158 Saturday and Sunday or during any period of time when such permit is
1159 suspended, provided the sale, dispensing or consumption of alcohol on
1160 such premises operating under such cafe permit shall be prohibited
1161 beyond the hours authorized for the sale, dispensing or consumption of
1162 alcohol for such premises under this section.

1163 (3) Notwithstanding any provision of this chapter, in the case of any
1164 premises operating under a cafe permit, it shall be lawful for such
1165 premises to be open to, or be occupied by, the public when such
1166 premises is being used as a site for film, television, video or digital
1167 production eligible for a film production tax credit pursuant to section
1168 12-217jj, provided the sale, dispensing or consumption of alcohol on
1169 such premises operating under such cafe permit shall be prohibited
1170 beyond the hours authorized for the sale, dispensing or consumption of
1171 alcohol for such premises under this section.

1172 (f) The retail sale and the tasting of free samples of wine, cider not
1173 exceeding six per cent alcohol by volume, apple wine not exceeding
1174 fifteen per cent alcohol by volume, apple brandy, eau-de-vie and mead

1175 by visitors and prospective retail customers of a permittee holding a
1176 manufacturer permit for a farm winery issued under subsection (c) of
1177 section 30-16, as amended by this act, or a manufacturer permit for wine,
1178 cider and mead issued under subsection (d) of section 30-16, as
1179 amended by this act, on the premises of such permittee shall be unlawful
1180 on Sunday before ten o'clock a.m. and after ten o'clock p.m. and on any
1181 other day before eight o'clock a.m. and after ten o'clock p.m. Any town
1182 may, by vote of a town meeting or by ordinance, reduce the number of
1183 hours during which sales and the tasting of free samples of products
1184 under this subsection shall be permissible.

1185 (g) Notwithstanding any provision of subsection (a) of this section,
1186 food or nonalcoholic beverages may be sold, dispensed or consumed in
1187 places operating under a cafe permit issued pursuant to subsection (d)
1188 of section 30-22a, as amended by this act, at any time, as allowed by
1189 agreement between the Connecticut Airport Authority and its lessees or
1190 concessionaires. In the case of premises operating at Bradley
1191 International Airport under a cafe permit, the sale, dispensing or
1192 consumption or the presence in glasses or other receptacles suitable to
1193 permit the consumption of alcoholic liquor by an individual shall be
1194 unlawful on: (1) Monday, Tuesday, Wednesday, Thursday and Friday
1195 between the hours of one o'clock a.m. and six o'clock a.m., (2) Saturday
1196 and Sunday between the hours of two o'clock a.m. and six o'clock a.m.,
1197 (3) Christmas, except for alcoholic liquor that is served where food is
1198 also available during the hours otherwise permitted by this section for
1199 the day on which Christmas falls, and (4) January first between the
1200 hours of three o'clock a.m. and six o'clock a.m.

1201 (h) The sale or the dispensing or consumption or the presence in
1202 glasses or other receptacles suitable to permit the consumption of
1203 alcoholic liquor by an individual in places operating under a nonprofit
1204 golf tournament permit issued under section 30-37g shall be unlawful
1205 on any day prior to nine o'clock a.m. and after ten o'clock p.m.

1206 (i) Nothing in this section shall be construed to require any permittee
1207 to continue the sale or dispensing of alcoholic liquor until the closing

1208 hour established under this section.

1209 (j) The retail sale of alcoholic liquor, and the provision of samples or
1210 tastings of alcoholic liquor, to festival visitors at a festival organized and
1211 sponsored under a festival permit issued under section 30-37t, as
1212 amended by this act, shall be unlawful on Sunday before ten o'clock a.m.
1213 and after six o'clock p.m., and on any other day before eight o'clock a.m.
1214 and after ten o'clock p.m. Any town may, by vote of a town meeting or
1215 by ordinance, reduce the number of hours during which the retail sale,
1216 tasting or sampling of alcoholic liquor under this subsection shall be
1217 permissible.

1218 (k) The sale of products at a farmers' market by a permittee holding
1219 a farmers' market sales permit pursuant to [subsection (a) of] section 30-
1220 37o, as amended by this act, shall be unlawful on any day before eight
1221 o'clock a.m. and after ten o'clock p.m., provided such permittee shall not
1222 sell such products at a farmers' market at any time during such hours
1223 that the farmers' market is not open to the public. Any town may, by
1224 vote of a town meeting or by ordinance, reduce the number of hours
1225 during which sales of products under this subsection shall be
1226 permissible.

1227 Sec. 15. Section 30-114 of the general statutes is repealed and the
1228 following is substituted in lieu thereof (*Effective from passage*):

1229 (a) As used in this section, ["keg"] "beer keg" means any brewery-
1230 sealed individual container of beer having a liquid capacity of six
1231 gallons or more.

1232 (b) Any holder of a package store permit or a grocery store beer
1233 permit under section 30-20 that sells beer kegs for consumption off the
1234 permit premises shall, at the time of sale, (1) place an identification tag
1235 on all beer kegs sold by the permittee, (2) require each purchaser of any
1236 such beer keg to sign a receipt for the beer keg, and (3) inform such
1237 purchaser that any deposit paid by the purchaser for the beer keg, if
1238 required, shall be forfeited if the beer keg is returned without the
1239 original identification tag intact and readable.

1240 (c) (1) The identification tag required under subdivision (1) of
1241 subsection (b) of this section shall be in the form of a numbered label,
1242 prescribed and furnished by the department, that clearly identifies the
1243 seller of the beer keg. Such tags shall be fabricated and made attachable
1244 in such a manner as to make the tag easily removable by a beer
1245 manufacturer for the purpose of cleaning and reusing the beer keg.

1246 (2) The receipt required under subdivision (2) of subsection (b) of this
1247 section shall be on a form prescribed and furnished by the department
1248 and shall include the name, address and signature of the purchaser of
1249 the beer keg and the purchaser's motor vehicle operator's license
1250 number or such other identifying information as the department may
1251 prescribe by regulation under section 30-6a, as amended by this act. The
1252 permittee shall retain a copy of all such receipts on the permit premises
1253 for a period of six months. Such receipts shall be available for inspection
1254 and copying by the department or any authorized criminal justice
1255 agency.

1256 (3) The information required under subdivision (3) of subsection (b)
1257 of this section may be given verbally to each purchaser of a beer keg or
1258 may be provided by means of a sign conspicuously posted at the point
1259 of sale in such form and containing such disclosures as the department
1260 may require by regulation under section 30-6a, as amended by this act.

1261 (4) The department may charge a reasonable fee for furnishing the
1262 forms required by subdivisions (1) and (2) of this subsection, not to
1263 exceed the actual cost of furnishing such forms.

1264 (d) No holder of a package store permit or a grocery store beer permit
1265 under section 30-20 may refund any deposit upon the return of any beer
1266 keg that (1) does not have an identification tag required under
1267 subdivision (1) of subsection (b) of this section or (2) has an
1268 identification tag that has been defaced to the extent that the information
1269 contained on the tag cannot be read.

1270 (e) The violation by any holder of a package store permit or a grocery
1271 store beer permit under section 30-20 of any provision of this section

1272 shall be cause for revocation or suspension of such permit under section
1273 30-55.

1274 Sec. 16. Section 30-115 of the general statutes is repealed and the
1275 following is substituted in lieu thereof (*Effective from passage*):

1276 (a) For the purposes of this section, "beer keg" has the same meaning
1277 as provided in section 30-114, as amended by this act.

1278 [(a)] (b) Any person who possesses any beer keg [containing beer]
1279 that is required to have an identification tag pursuant to section 30-114,
1280 as amended by this act, knowing that such beer keg does not have such
1281 required identification tag, shall be guilty of a class C misdemeanor.
1282 This subsection shall not apply to any manufacturer, shipper,
1283 wholesaler or retail seller of beer, or to any person who finds a discarded
1284 beer keg [containing beer] on such person's property.

1285 [(b)] (c) Any person who purchases any beer keg [containing beer]
1286 and who knowingly provides false information on any receipt required
1287 by section 30-114, as amended by this act, at the time of such purchase
1288 shall be guilty of a class C misdemeanor.

1289 Sec. 17. Section 29-305 of the general statutes is repealed and the
1290 following is substituted in lieu thereof (*Effective from passage*):

1291 (a) Each local fire marshal and the State Fire Marshal, for the purpose
1292 of satisfying themselves that all pertinent statutes and regulations are
1293 complied with, may inspect in the interests of public safety all buildings,
1294 facilities, processes, equipment, systems and other areas regulated by
1295 the Fire Safety Code and the State Fire Prevention Code within their
1296 respective jurisdictions.

1297 (b) Each local fire marshal shall inspect or cause to be inspected, at
1298 least once each calendar year or as often as prescribed by the State Fire
1299 Marshal pursuant to subsection (e) of this section, in the interests of
1300 public safety, all buildings and facilities of public service and all
1301 occupancies regulated by the Fire Safety Code or State Fire Prevention
1302 Code within the local fire marshal's jurisdiction, except residential

1303 buildings designed to be occupied by one or two families which shall be
1304 inspected, upon complaint or request of an owner or occupant, only for
1305 the purpose of determining whether the requirements specified in said
1306 codes relative to smoke detection and warning equipment have been
1307 satisfied. In the case of a school building, each local fire marshal shall
1308 submit a written report to the local or regional board of education
1309 documenting each such inspection.

1310 (c) Upon receipt by the State Fire Marshal of information from an
1311 authentic source that any other building or facility within the State Fire
1312 Marshal's jurisdiction is hazardous to life safety from fire, the State Fire
1313 Marshal shall inspect such building or facility.

1314 (d) Upon receipt by the local fire marshal of information from an
1315 authentic source that any other building or facility within the local fire
1316 marshal's jurisdiction is hazardous to life safety from fire, the local fire
1317 marshal shall inspect such building or facility. In each case in which the
1318 local fire marshal conducts an inspection, the local fire marshal shall be
1319 satisfied that all pertinent statutes and regulations are complied with,
1320 and shall keep a record of such investigations. Such local fire marshal or
1321 a designee shall have the right of entry at all reasonable hours into or
1322 upon any premises within the local fire marshal's jurisdiction for the
1323 performance of the fire marshal's duties except that occupied dwellings
1324 and habitations, exclusive of common use passageways and rooms in
1325 tenement houses, hotels and rooming houses, may only be entered for
1326 inspections between the hours of 9:00 a.m. and 5:00 p.m., except in the
1327 event of any emergency requiring immediate attention for life safety, or
1328 in the interests of public safety. Each local fire marshal shall make a
1329 monthly report to the authority which appointed the local fire marshal
1330 and shall be paid for [his or her] such local fire marshal's services in
1331 making such inspections of buildings, facilities, processes, equipment,
1332 systems and other areas the compensation agreed upon with such
1333 appointing authority.

1334 (e) The State Fire Marshal may adopt amendments to the Fire Safety
1335 Code and the State Fire Prevention Code regarding requirements for the

1336 frequency of inspections of different building uses regulated by the
1337 codes and set forth a schedule of inspections, except for inspections of
1338 residential buildings designed to be occupied by three or more families,
1339 that are less frequent than yearly if the interests of public safety can be
1340 met by less frequent inspections.

1341 (f) Notwithstanding the provisions of subsections (a) to (e), inclusive,
1342 of this section, a local fire marshal, deputy fire marshal, fire inspector or
1343 other fire code inspector or fire investigator holding office in a
1344 municipality shall, at least once per calendar year, inspect all premises
1345 that are (1) located in the municipality, and (2) operating under a permit
1346 issued pursuant to chapter 545 that allows for on-premises consumption
1347 of alcoholic liquor.

1348 Sec. 18. Section 12-433 of the general statutes is repealed and the
1349 following is substituted in lieu thereof (*Effective from passage*):

1350 Wherever used in this chapter, unless the context otherwise requires:

1351 (1) "Alcoholic beverage" and "beverage" include wine, beer and
1352 liquor;

1353 (2) "Absolute alcohol" means dehydrated alcohol containing not less
1354 than ninety-nine per cent by weight of ethyl alcohol;

1355 (3) "Beer" means any beverage obtained by the alcoholic fermentation
1356 of an infusion or decoction of barley, malt and hops in drinking water
1357 and containing more than one-half of one per cent of absolute alcohol
1358 by volume;

1359 (4) "Wine" means any alcoholic beverage obtained by the
1360 fermentation of natural sugar contents of fruits or other agricultural
1361 products containing sugar;

1362 (5) "Still wine" means any wine that contains not more than three
1363 hundred ninety-two one thousandths (0.392) of a gram of carbon
1364 dioxide per hundred milliliters of wine, and shall include any fortified
1365 wine, cider that is made from the alcoholic fermentation of the juice of

1366 apples, vermouth and any artificial or imitation wine or compound sold
1367 as "still wine" containing not less than three and two-tenths per cent of
1368 absolute alcohol by volume;

1369 (6) "Sparkling wine" means champagne and any other effervescent
1370 wine charged with more than three hundred ninety-two one
1371 thousandths (0.392) of a gram of carbon dioxide per hundred milliliters
1372 of wine, whether artificially or as a result of secondary fermentation of
1373 the wine within the container;

1374 (7) "Fortified wine" means any wine, the alcoholic contents of which
1375 have been increased, by whatever process, beyond that produced by
1376 natural fermentation;

1377 (8) "Liquor" means any beverage that contains alcohol obtained by
1378 distillation mixed with drinkable water and other substances in
1379 solution;

1380 (9) "Liquor cooler" means either (A) any liquid combined with liquor
1381 containing not more than seven per cent of alcohol by volume, or (B)
1382 any liquid combined with liquor containing more than seven per cent of
1383 alcohol by volume produced by a person who produces not more than
1384 fifty thousand proof gallons of liquor during the calendar year;

1385 (10) "Gallon" or "wine gallon" means one hundred twenty-eight fluid
1386 ounces;

1387 (11) "Proof gallon" means the equivalent of one wine gallon at 100
1388 proof;

1389 (12) "Proof spirit" or "proof" means alcoholic liquor that contains one-
1390 half by volume of alcohol of a specific gravity of seventy-nine hundred
1391 and thirty-nine ten-thousandths (0.7939) at 60° F;

1392 (13) "Alcohol" means ethyl alcohol, hydrated oxide of ethyl or spirit
1393 of wine, from whatever source or by whatever process produced;

1394 (14) "Person" means any individual, firm, fiduciary, partnership,

1395 corporation, limited liability company, trust or association, however
1396 formed;

1397 (15) "Taxpayer" means any person liable to taxation under this
1398 chapter except railroad and airline companies so far as they conduct
1399 such beverage business in cars or passenger trains or on airplanes;

1400 (16) "Distributor" means any person, wherever resident or located,
1401 that holds a wholesaler's or manufacturer's permit or wholesaler or
1402 manufacturer permit for beer only issued under chapter 545, or such
1403 person's backer, if any;

1404 (17) "Licensed distributor" means a distributor holding a license
1405 issued by the Commissioner of Revenue Services under the provisions
1406 of this chapter;

1407 (18) "Tax period" means any period of one calendar month, or any
1408 part thereof;

1409 (19) "Barrel" means not less than twenty-eight nor more than thirty-
1410 one gallons;

1411 (20) "Half barrel" means not less than fourteen nor more than fifteen
1412 and one-half gallons;

1413 (21) "Quarter barrel" means not less than seven nor more than seven
1414 and three-quarters gallons; and

1415 (22) "Sell" or "sale" includes and applies to gifts, exchanges and barter
1416 and includes any alcoholic beverages coming into the possession of a
1417 distributor that cannot be satisfactorily accounted for by the distributor
1418 to the Commissioner of Revenue Services.

1419 Sec. 19. Section 12-435 of the general statutes is repealed and the
1420 following is substituted in lieu thereof (*Effective from passage*):

1421 Each distributor of alcoholic beverages shall pay a tax to the state on
1422 all sales within the state of alcoholic beverages, except sales to licensed
1423 distributors, sales of alcoholic beverages that, in the course of such sales,

1424 are actually transported to some point without the state and except the
1425 first fifteen barrels of beer that is produced annually and consumed on
1426 the premises covered by a manufacturer's permit, at the rates for the
1427 respective categories of alcoholic beverages listed below:

1428 (1) (A) For sales occurring prior to July 1, 2023, beer, except as
1429 provided in subdivision (2) of this section, seven dollars and twenty
1430 cents for each barrel, three dollars and sixty cents for each half barrel,
1431 one dollar and eighty cents for each quarter barrel and twenty-four cents
1432 per wine gallon or fraction thereof on quantities less than a quarter
1433 barrel; and

1434 (B) For sales occurring on or after July 1, 2023, beer, except as
1435 provided in subdivision (2) of this section, six dollars for each barrel,
1436 three dollars for each half barrel, one dollar and fifty cents for each
1437 quarter barrel and twenty cents per wine gallon or fraction thereof on
1438 quantities less than a quarter barrel;

1439 (2) Beer sold on the premises covered by a manufacturer's permit for
1440 off-premises consumption, three dollars and sixty cents for each barrel,
1441 one dollar and eighty cents for each half barrel, ninety cents for each
1442 quarter barrel and twelve cents per wine gallon or fraction thereof on
1443 quantities less than a quarter barrel;

1444 (3) Liquor, five dollars and ninety-four cents per wine gallon;

1445 (4) Still wines containing not more than twenty-one per cent of
1446 absolute alcohol, except as provided in subdivisions (8) and (9) of this
1447 section, seventy-nine cents per wine gallon;

1448 (5) Still wines containing more than twenty-one per cent of absolute
1449 alcohol and sparkling wines, one dollar and ninety-eight cents per wine
1450 gallon;

1451 (6) Alcohol in excess of [100] one hundred proof, five dollars and
1452 ninety-four cents per proof gallon;

1453 (7) (A) Liquor coolers containing not more than seven per cent of

1454 alcohol by volume, two dollars and seventy-one cents per wine gallon;
1455 and

1456 (B) For sales occurring on or after July 1, 2023, liquor coolers
1457 containing more than seven per cent of alcohol by volume produced by
1458 a person who produces not more than fifty thousand proof gallons of
1459 liquor during the calendar year, three dollars and fifty-seven cents per
1460 wine gallon;

1461 (8) Still wine containing not more than twenty-one per cent of
1462 absolute alcohol, produced by a person who produces not more than
1463 fifty-five thousand wine gallons of wine during the calendar year,
1464 twenty cents per wine gallon, provided such person presents to each
1465 distributor of alcoholic beverages described in this section a certificate,
1466 issued by the commissioner, stating that such person produces not more
1467 than fifty-five thousand wine gallons of wine during the calendar year.
1468 The commissioner is authorized to issue such certificates, prescribe the
1469 procedures for obtaining such certificates and prescribe their form; and

1470 (9) Cider containing not more than seven per cent of absolute alcohol,
1471 seven dollars and ninety-two cents for each barrel, three dollars and
1472 ninety-six cents for each half barrel, one dollar and ninety-eight cents
1473 for each quarter barrel and twenty-six cents per wine gallon or fraction
1474 thereof on quantities less than a quarter barrel.

1475 Sec. 20. Subsection (b) of section 19a-342 of the general statutes is
1476 repealed and the following is substituted in lieu thereof (*Effective October*
1477 *1, 2023*):

1478 (b) (1) Notwithstanding the provisions of section 31-40q, no person
1479 shall smoke: (A) In any area of a building or portion of a building,
1480 owned and operated or leased and operated by the state or any political
1481 subdivision of the state; (B) in any area of a health care institution,
1482 including, but not limited to, a psychiatric facility; (C) in any area of a
1483 retail establishment accessed by the general public; (D) in any
1484 restaurant; (E) in any area of an establishment with a permit issued for
1485 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-

1486 22, 30-22c, 30-28, 30-28a, 30-33a, 30-33b, 30-35a, 30-37a, 30-37e or 30-37f,
1487 in any area of an establishment with a permit for the sale of alcoholic
1488 liquor pursuant to section 30-22aa issued after May 1, 2003, and, on and
1489 after April 1, 2004, in any area of an establishment with a permit issued
1490 for the sale of alcoholic liquor pursuant to section 30-22a, as amended
1491 by this act, or 30-26; (F) in any area of a school building or on the
1492 grounds of such school; (G) within a child care facility or on the grounds
1493 of such child care facility, except, if the child care facility is a family child
1494 care home, as defined in section 19a-77, such smoking is prohibited only
1495 when a child enrolled in such home is present during customary
1496 business hours; (H) in any passenger elevator; (I) in any area of a
1497 dormitory in any public or private institution of higher education; (J) in
1498 any area of a dog race track or a facility equipped with screens for the
1499 simulcasting of off-track betting race programs or jai alai games; (K) in
1500 any room offered as an accommodation to guests by the operator of a
1501 hotel, motel or similar lodging; (L) in any area of a correctional facility
1502 or halfway house; or (M) in any area of a platform or a shelter at a rail,
1503 busway or bus station, owned and operated or leased and operated by
1504 the state or any political subdivision of the state. For purposes of this
1505 subsection, "restaurant" means space, in a suitable and permanent
1506 building, kept, used, maintained, advertised and held out to the public
1507 to be a place where meals are regularly served to the public, "school" has
1508 the same meaning as provided in section 10-154a and "child care facility"
1509 has the same meaning as provided in section 19a-342a, as amended by
1510 this act.

1511 (2) Subdivision (1) of this subsection shall not apply to the following:
1512 (A) Public housing projects, as defined in subsection (b) of section 21a-
1513 278a; (B) any classroom where demonstration smoking is taking place
1514 as part of a medical or scientific experiment or lesson; (C)
1515 notwithstanding the provisions of subparagraph (E) of subdivision (1)
1516 of this subsection, the outdoor portion of the premises of any permittee
1517 listed in subparagraph (E) of subdivision (1) of this subsection,
1518 provided, in the case of any seating area maintained for the service of
1519 food, at least seventy-five per cent of the outdoor seating capacity is an
1520 area in which smoking is prohibited and which is clearly designated

1521 with written signage as a nonsmoking area, except that any temporary
1522 seating area established for special events and not used on a regular
1523 basis shall not be subject to the smoking prohibition or signage
1524 requirements of this subparagraph; (D) any medical research site where
1525 smoking is integral to the research being conducted; or (E) any tobacco
1526 bar, provided [no tobacco bar shall expand in size or change its location
1527 from its size or location as of December 31, 2002] a tobacco bar that
1528 commences operations on or after October 1, 2023, shall (i) be located in
1529 a stand-alone building or, if such tobacco bar is connected to another
1530 building, use such tobacco bar's own heating, ventilation or air
1531 conditioning system to prevent commingling of air, (ii) have a walk-in
1532 humidor on the premises, and (iii) not be located within a five-mile
1533 radius of any existing tobacco bar in the same municipality. For
1534 purposes of this subdivision, "outdoor" means an area which has no roof
1535 or other ceiling enclosure; [,] "tobacco bar" means an establishment with
1536 a permit for the sale of alcoholic liquor to consumers issued pursuant to
1537 [chapter 545] section 30-22a, as amended by this act, that [,] (I) in the
1538 calendar year ending December 31, 2002, generated ten per cent or more
1539 of its total annual gross income from the on-site sale of tobacco products
1540 and the rental of on-site humidors, or (II) for any tobacco bar that
1541 commences operations on or after October 1, 2023, generates at least
1542 sixty per cent of such tobacco bar's gross income in a calendar year from
1543 on-site sales of tobacco products and rentals of on-site humidors; and
1544 "tobacco product" means any substance that contains tobacco,
1545 including, but not limited to, cigarettes, cigars, pipe tobacco or chewing
1546 tobacco, except "tobacco product" does not include cannabis.

1547 Sec. 21. Subsection (b) of section 19a-342a of the general statutes is
1548 repealed and the following is substituted in lieu thereof (*Effective October*
1549 *1, 2023*):

1550 (b) (1) No person shall use an electronic nicotine or cannabis delivery
1551 system or vapor product: (A) In any area of a building or portion of a
1552 building owned and operated or leased and operated by the state or any
1553 political subdivision of the state; (B) in any area of a health care
1554 institution, including, but not limited to, a psychiatric facility; (C) in any

1555 area of a retail establishment accessed by the public; (D) in any
1556 restaurant; (E) in any area of an establishment with a permit issued for
1557 the sale of alcoholic liquor pursuant to section 30-20a, 30-21, 30-21b, 30-
1558 22, 30-22a, as amended by this act, 30-22c, 30-26, 30-28, 30-28a, 30-33a,
1559 30-33b, 30-35a, 30-37a, 30-37e or 30-37f, in any area of establishment with
1560 a permit issued for the sale of alcoholic liquor pursuant to section 30-
1561 22aa issued after May 1, 2003; (F) in any area of a school building or on
1562 the grounds of such school; (G) within a child care facility or on the
1563 grounds of such child care facility, except, if the child care facility is a
1564 family child care home as defined in section 19a-77, such use is
1565 prohibited only when a child enrolled in such home is present during
1566 customary business hours; (H) in any passenger elevator; (I) in any area
1567 of a dormitory in any public or private institution of higher education;
1568 (J) in any area of a dog race track or a facility equipped with screens for
1569 the simulcasting of off-track betting race programs or jai alai games; (K)
1570 in any room offered as an accommodation to guests by the operator of a
1571 hotel, motel or similar lodging; (L) in any area of a correctional facility,
1572 halfway house or residential facility funded by the Judicial Branch; or
1573 (M) in any area of a platform or a shelter at a rail, busway or bus station,
1574 owned and operated or leased and operated by the state or any political
1575 subdivision of the state. For purposes of this subsection, "restaurant"
1576 means space, in a suitable and permanent building, kept, used,
1577 maintained, advertised and held out to the public to be a place where
1578 meals are regularly served to the public; [J] and "school" has the same
1579 meaning as provided in section 10-154a.

1580 (2) Subdivision (1) of this subsection shall not apply to the following:
1581 (A) Public housing projects, as defined in subsection (b) of section 21a-
1582 278a; (B) any classroom where a demonstration of the use of an
1583 electronic nicotine or cannabis delivery system or vapor product is
1584 taking place as part of a medical or scientific experiment or lesson; (C)
1585 any medical research site where the use of an electronic nicotine or
1586 cannabis delivery system or vapor product is integral to the research
1587 being conducted; (D) establishments without a permit for the sale of
1588 alcoholic liquor that sell electronic nicotine delivery systems, vapor
1589 products or liquid nicotine containers on-site and allow their customers

1590 to use such systems, products or containers on-site; (E) notwithstanding
1591 the provisions of subparagraph (E) of subdivision (1) of this subsection,
1592 the outdoor portion of the premises of any permittee listed in
1593 subparagraph (E) of subdivision (1) of this subsection, provided, in the
1594 case of any seating area maintained for the service of food, at least
1595 seventy-five per cent of the outdoor seating capacity is an area in which
1596 smoking is prohibited and which is clearly designated with written
1597 signage as a nonsmoking area, except that any temporary seating area
1598 established for special events and not used on a regular basis shall not
1599 be subject to the prohibition on the use of an electronic nicotine or
1600 cannabis delivery system or vapor product or the signage requirements
1601 of this subparagraph; or (F) any tobacco bar, provided [no tobacco bar
1602 shall expand in size or change its location from its size or location as of
1603 October 1, 2015] a tobacco bar that commences operations on or after
1604 October 1, 2023, shall (i) be located in a stand-alone building or, if such
1605 tobacco bar is connected to another building, use such tobacco bar's own
1606 heating, ventilation or air conditioning system to prevent commingling
1607 of air, (ii) have a walk-in humidor on the premises, and (iii) not be
1608 located within a five-mile radius of any existing tobacco bar in the same
1609 municipality. For purposes of this subdivision, "outdoor" means an area
1610 which has no roof or other ceiling enclosure; [,] "tobacco bar" means an
1611 establishment with a permit for the sale of alcoholic liquor to consumers
1612 issued pursuant to [chapter 545] section 30-22a, as amended by this act,
1613 that [,] (I) in the calendar year ending December 31, 2015, generated ten
1614 per cent or more of its total annual gross income from the on-site sale of
1615 tobacco products and the rental of on-site humidors, or (II) for any
1616 tobacco bar that commences operations on or after October 1, 2023,
1617 generates at least sixty per cent of such tobacco bar's gross income in a
1618 calendar year from on-site sales of tobacco products and rentals of on-
1619 site humidors; and "tobacco product" means any substance that contains
1620 tobacco, including, but not limited to, cigarettes, cigars, pipe tobacco or
1621 chewing tobacco, except that "tobacco product" does not include
1622 cannabis.

1623 Sec. 22. (*Effective from passage*) The Liquor Control Commission shall
1624 study the potential impact of requiring each person seeking a liquor

1625 permit under chapter 545 of the general statutes, and each person
 1626 seeking a renewal of any such permit, to attest that such person has
 1627 obtained liquor liability insurance coverage. Not later than January 1,
 1628 2024, the Liquor Control Commission shall report, in accordance with
 1629 the provisions of section 11-4a of the general statutes, regarding such
 1630 study to the joint standing committee of the General Assembly having
 1631 cognizance of matters relating to consumer protection.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-1
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	New section
Sec. 4	<i>from passage</i>	New section
Sec. 5	<i>from passage</i>	30-6a
Sec. 6	<i>from passage</i>	30-14(a) and (b)
Sec. 7	<i>from passage</i>	30-16
Sec. 8	<i>October 1, 2023</i>	30-22a
Sec. 9	<i>from passage</i>	30-22e
Sec. 10	<i>from passage</i>	30-37o
Sec. 11	<i>from passage</i>	30-37t(a) to (g)
Sec. 12	<i>from passage</i>	30-39(b)
Sec. 13	<i>from passage</i>	30-48(a)
Sec. 14	<i>from passage</i>	30-91(d) to (k)
Sec. 15	<i>from passage</i>	30-114
Sec. 16	<i>from passage</i>	30-115
Sec. 17	<i>from passage</i>	29-305
Sec. 18	<i>from passage</i>	12-433
Sec. 19	<i>from passage</i>	12-435
Sec. 20	<i>October 1, 2023</i>	19a-342(b)
Sec. 21	<i>October 1, 2023</i>	19a-342a(b)
Sec. 22	<i>from passage</i>	New section

Statement of Legislative Commissioners:

In Section 3(a)(2), "square" was deleted for accuracy; in Section 3(c), "do" was changed to "shall" for consistency with standard drafting conventions; in Section 7(b), "Such permit" was bracketed and after the closing bracket "A manufacturer permit for beer" was inserted for clarity; in Sections 7(b)(2) and (3), "such a permit" was bracketed and

after the closing bracket "a manufacturer permit for beer" was inserted for clarity; in Section 9(a)(2), "square" was bracketed for accuracy; in Section 9(c), "do" was bracketed and after the closing bracket "shall" was inserted for consistency with standard drafting conventions; and in Section 12(b)(1)(B), "said subsection" was changed to "subsection (f) of section 29-305, as amended by this act" for clarity.

GL *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the members of the General Assembly, solely for purposes of information, summarization and explanation and do not represent the intent of the General Assembly or either chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 24 \$	FY 25 \$
Department of Revenue Services	GF - Revenue Loss	1.8 million	1.9 million
Department of Revenue Services	Various - Revenue Gain	Potential	Potential
Resources of the General Fund	GF - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund; Various=Various

Municipal Impact:

Municipalities	Effect	FY 24 \$	FY 25 \$
Various Municipalities	Cost	Potential	Potential

Explanation

The bill makes various changes to the Liquor Control Act resulting in the revenue and cost impacts described below.

Section 2 creates a temporary auction permit for a fee of \$175 per day resulting in a potential revenue gain to the General Fund (GF) to the extent these permits are applied for.

Section 2 also results in a revenue gain to the state's sales tax by allowing the temporary auction permit to allow the sale of alcohol at auctions. The actual revenue gain in a given fiscal year will be dependent upon the number of auctions permitted and the total value of sales for that fiscal year.

Section 3 creates an outdoor open-air permit for an annual fee of

\$4,000 resulting in a potential revenue gain to the GF to the extent these permits are applied for.

Section 3 also results in a potential revenue gain to the state's sales and alcoholic beverage taxes by allowing the retail sale and consumption of alcohol in open spaces operating under a year-round open-space permit. The actual revenue gain in a given fiscal year would be dependent upon the number of open-air permits approved that would not have otherwise qualified for the seasonal outdoor open-air permit.

Sections 7 & 10 results in potential revenue gain up to \$15,000 annually in the state's sales and alcoholic beverage taxes by allowing manufacturer permittees for spirits and beer to sell their products at farmers markets. Any revenue gain in taxes would be only to the extent that there is an increase in alcohol sales rather than a shift from currently allowed transactions for alcohol.

Sections 8 & 20-21 results in a potential revenue gain to the state by allowing additional "tobacco bars," so long as the retailer holds an alcoholic liquor permit and meets the criteria outlined in the bill. The actual revenue gain in a given fiscal year will be dependent upon the number of tobacco bars permitted and the total volume of annual sales allowed under this bill from those establishments.

For illustrative purposes, if ten tobacco bars are permitted to sell alcoholic beverages under the bill and on average those sales are 20% of the businesses' gross revenue, the revenue gain to the state would be \$140,000 in sales and alcoholic beverage taxes.

Currently, there is one cigar lounge licensed by the state to sell alcoholic beverages.

Section 11 allows for-profit entities to apply for a festival permit for a fee of \$275 resulting in a potential revenue gain to the GF to the extent these permits are applied for.

Section 11 also results in a potential revenue gain to the state's sales

and alcoholic beverage taxes by allowing for-profit entities to sponsor a permitted festival. The actual revenue gain in a given fiscal year will be dependent upon the number of permits approved and only to the extent that there is an increase in alcohol sales rather than a shift from currently allowed transactions for alcohol.

Section 17 requires annual fire inspections of all premises in municipalities that operate under a permit that allows for on-premises alcohol consumption. To the extent additional personnel are necessary to meet these requirements, there may be a potential cost to municipalities beginning in FY 24.

Sections 18 & 19 establish a new alcoholic beverages tax rate for certain liquor coolers, which results in a General Fund revenue loss of approximately \$1.8 million in FY 24 and \$1.9 million in FY 25.

Section 22 requires the Liquor Control Commission to study the impact of requiring people applying or renewing their permit to attest that they obtained liquor liability insurance resulting in no fiscal impact to the state because the Commission has the expertise to meet the requirements of the bill.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of permits applied for, growth in the liquor cooler market, and inflation.

OLR Bill Analysis**sSB 905****AN ACT CONCERNING ALCOHOLIC LIQUOR AND TOBACCO BARS.**

TABLE OF CONTENTS:

SUMMARY§§ 2, 6, 12 & 14 — TEMPORARY AUCTION PERMIT

Establishes a temporary auction permit to allow the permittee to sell alcohol obtained from individual collectors through an auction

§§ 3, 9 & 12-13 — OUTDOOR OPEN-AIR PERMITS

Establishes an outdoor open-air permit that is substantially similar to a seasonal outdoor open-air permit, except it is valid year-round; allows provisional seasonal outdoor open-air permits

§§ 4 & 15-16 — COCKTAIL KEG

Allows a wholesaler permittee to sell a cocktail keg to a qualified retail permittee for on-premises consumption

§ 5 — BEER OR WINE PIPELINE CLEANINGS

Decreases, from weekly to biweekly, the frequency at which certain permittees must clean beer or wine pipes and barrel tubes

§§ 7, 10 & 13-14 — FARMERS' MARKET SALES PERMIT

Expands the farmers' market sales permit to allow manufacturer permittees for spirits to sell their product at a farmers' market

§§ 8 & 20-21 — TOBACCO BARS

Allows the establishment of certain additional tobacco bars to allow smoking indoors, including the smoking of e-cigarettes

§§ 11 & 14 — FESTIVAL PERMIT

Allows (1) for-profit entities to sponsor festivals and (2) manufacturer permittees that hold an out-of-state shipper's permit for beer to make certain types of sales at a festival and ship directly to visitors

§§ 12 & 17 — FIRE INSPECTIONS

Specifies that the (1) requirement that liquor permit applicants submit fire safety-related documents apply only to the initial application and (2) completion of the annual required fire inspection for permittees for on-premises alcohol consumption is not a precondition for permit renewal

§§ 18 & 19 — ALCOHOLIC BEVERAGE TAX FOR LIQUOR COOLERS

Establishes a new \$3.57 per wine gallon alcoholic beverage tax for liquor coolers with an alcohol by volume of over 7% ABV by manufacturers that produce up to 50,000 proof gallons

§ 22 — LIQUOR LIABILITY INSURANCE STUDY

Requires the Liquor Control Commission to (1) study the potential impact of requiring permittees to have liquor liability insurance and (2) report it to the General Law Committee

BACKGROUND

SUMMARY

This bill makes various unrelated changes to the Liquor Control Act. Among other things, it:

1. establishes a temporary auction permit and an outdoor open-air permit;
2. allows the sale of cocktail kegs for on-premises consumption;
3. lessens certain permit requirements, such as decreasing the frequency of certain cleanings and the prerequisites for renewal;
4. expands the farmers' market sales and festival permits to allow more types of sales;
5. allows more tobacco bars to allow smoking indoors, including the smoking of e-cigarettes;
6. requires a study on the potential impact of requiring permittees to have liquor liability insurance; and
7. makes various minor technical and conforming changes.

The bill also establishes a new alcoholic beverage tax for liquor coolers (i.e., mixed drink) above 7% alcohol by volume (ABV).

EFFECTIVE DATE: Upon passage, except the provisions on tobacco bars are effective October 1, 2023.

§§ 2, 6, 12 & 14 — TEMPORARY AUCTION PERMIT

Establishes a temporary auction permit to allow the permittee to sell alcohol obtained from individual collectors through an auction

The bill establishes a temporary auction permit that allows the permittee to sell beer, spirits, and wine obtained from one or more individual collectors, package store permittees, or cancelled restaurant or cafe permittees through an auction conducted by an auctioneer.

An “auctioneer” is anyone who (1) regularly provides professional services by auctioning items for sale and (2) does not hold an alcoholic liquor permit. An “individual collector” is anyone who is not a backer (i.e., proprietor); permittee; or a backer’s director, officer, or employee.

The auction may be held in person or online during the hours a package store may sell alcohol under existing law (e.g., allowed between 8:00 a.m. and 10:00 p.m. on Monday through Saturday and between 10:00 a.m. and 6:00 p.m. on Sunday, but not on Thanksgiving Day, New Year’s Day, and Christmas).

Application

To get a permit, an auctioneer must apply to the Department of Consumer Protection (DCP), as the department prescribes, at least 60 days before the first day of the auction. The applicant must serve as the permit’s backer. Each permit is valid for one auction and is effective for a period of up to three consecutive days. DCP may not issue more than four permits to a backer in any calendar year. The permit fee is \$175 per day.

Placarding

By law, alcoholic liquor permit applicants must generally give notice

of a new permit in the newspaper and place placards visible from the road that include certain information, such as the business's name and location. The bill exempts temporary auction permit applicants from this requirement.

Nature and Duration of Permit

Under the bill, the temporary auction permit is, among other things, revocable at DCP's discretion and expires annually. The permit is purely a personal privilege and is not property.

Obtaining Alcohol

Under the bill, the auctioneer must only accept alcohol that was lawfully acquired by (1) an individual collector or (2) the permittees or cancelled permittees who purchased the alcohol from a wholesaler permittee. Such alcohol must bear an intact seal from the alcohol manufacturer.

The bill allows an individual collector or a package store permittee to sell or consign the alcohol to the auctioneer. A cancelled restaurant or cafe permittee may, within 60 days after the permit cancellation, sell or consign the alcohol to the auctioneer.

Unsold Consigned Alcohol. Under the bill, all unsold consigned alcohol must be returned within 10 days after the auction's final day. The bill generally prohibits unsold consigned alcohol from being resold, offered for sale, or used on the permit premises, except for those returned to a package store.

Minimum Pricing

The bill exempts the alcohol sold at an auction under this permit from the state's brand registration, price posting, and prohibition on selling below minimum retail cost. This exemption does not apply to the bill's requirement to start a bid above what is required under the minimum retail price law for package store alcohol.

Samples and Tastings

Under the bill, the permittee may offer free samples of any alcohol

that is to be sold at auction for tasting. But the permittee must notify DCP that it intends to do so at least 30 days before the first day of the auction. The department must prescribe the form and manner for the notification. Tastings may only occur during the period in which a package store is allowed to sell alcohol. The bill prohibits the offering of tastings (1) to any minor or intoxicated person or (2) from more than 10 uncorked or open cans or bottles at any one time. (Presumably, this prohibition applies to the permittee.)

Municipal Option

Under the bill, any town or municipality may, by ordinance or zoning regulation, prohibit the offering of free samples by permittees at events or functions held in the town or municipality.

Shipping

The bill allows permittees to deliver and ship directly to the consumer any alcohol purchased at the auction held under the permit. Any shipment to a consumer outside of the state is subject to all applicable laws of the jurisdiction where the consumer is located. When shipping the alcohol directly to a Connecticut consumer, the permittee must:

1. ensure that the shipping label on each container of such beer, spirits or wine states the following: "CONTAINS ALCOHOL – SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY";
2. obtain the signature of a person who is at least age 21 at the delivery address prior to delivery, after requiring the person to prove his or her age with a valid motor vehicle operator's license or valid identity card (presumably the permittee would obtain this information through the delivery service provider);
3. not ship this alcohol to any address in Connecticut where the sale of alcoholic liquor is prohibited by local option; and
4. make any such shipment through an in-state transporter permittee.

Regulations

The bill allows DCP to adopt implementing regulations for the bill's temporary auctioneer provisions.

§§ 3, 9 & 12-13 — OUTDOOR OPEN-AIR PERMITS

Establishes an outdoor open-air permit that is substantially similar to a seasonal outdoor open-air permit, except it is valid year-round; allows provisional seasonal outdoor open-air permits

Outdoor Open-Air Permit

The bill establishes an outdoor open-air permit that is substantially similar to a seasonal outdoor open-air permit, except it is valid year-round. The permit allows the retail sale of alcoholic liquor for on-premises consumption with a \$4,000 permit fee. This consumption is allowed on a lot, yard, green, or other outdoor open space under certain conditions, including where the:

1. retail sale and consumption of alcoholic liquor is allowed in the space by applicable local zoning, health, and fire marshal officials;
2. permitted premises is less than one square acre;
3. permitted area is enclosed by a temporary fence or wall at least 30 inches high; and
4. restrooms or enclosed portable toilets are available within the permitted area or nearby.

The permittee must also make food available for sale to consumers on the premises when the permittee is selling the alcohol. The food may be prepared on the premises, provided by a food truck or caterer or be prepackaged. The availability of area menus for delivery is deemed in compliance with the food requirement. The bill specifies that food does not have to be purchased with an alcoholic beverage.

Under the bill, tents, mobile units, and other temporary fixtures are allowed within the permitted premises. A permittee must maintain the permitted premises consistent with all applicable local zoning, health,

and fire requirements.

Under the bill, the permit is issued by DCP and is limited to a restaurant permittee's hours of operation allowed for serving alcohol. By law, restaurant permittees may generally serve alcohol from 9:00 a.m. to 1:00 a.m. the next morning on Monday through Thursday, from 9:00 a.m. to 2:00 a.m. the next morning for Friday and Saturday, and 10:00 a.m. to 1:00 a.m. the next morning on Sunday (CGS § 30-91(a)).

Under the bill, the outdoor open-air permit is not renewable, and backers are limited to one permit application per calendar year. The bill exempts outdoor open-air permittees from existing law's placarding requirements, like it does for temporary auction permits (see above).

The bill also allows the outdoor open-air permittee to sell draught beer for off-premises consumption (e.g., by the growler). Permittees may only sell up to four liters per person per day during the hours package stores can sell alcohol.

The bill also makes a conforming change allowing a restaurant, cafe, or in-state transporter permittee to hold an outdoor open-air permit.

Seasonal Outdoor Open-Air Permit (§ 9)

Current law prohibits DCP from issuing provisional seasonal outdoor open-air permits. By law, these permits are effective either April 1 to September 30 or May 1 to October 31. The bill eliminates the prohibition and in doing so, allows DCP to now issue these permits.

§§ 4 & 15-16 — COCKTAIL KEG

Allows a wholesaler permittee to sell a cocktail keg to a qualified retail permittee for on-premises consumption

The bill allows a wholesaler permittee to sell a cocktail keg to a qualified retail permittee (i.e., an alcoholic liquor permittee that is authorized to sell cocktails and prepared mixed drinks for on-premises consumption).

Under the bill, a "cocktail keg" is an individual container of a cocktail or prepared mixed drink that has a liquid capacity of at least four gallons

and is sealed by the (1) manufacturer of the cocktail or prepared mixed drink or (2) wholesaler permittee.

The bill also makes conforming changes to differentiate the term “cocktail keg” from “beer keg” under the law.

§ 5 — BEER OR WINE PIPELINE CLEANINGS

Decreases, from weekly to biweekly, the frequency at which certain permittees must clean beer or wine pipes and barrel tubes

Current regulations require permittees to clean beer or wine pipes and barrel tubes used to dispense alcoholic beverages at least once a week (Conn. Agencies Regs. § 30-6-A23). The bill requires DCP, by October 1, 2023, to amend these regulations to require these cleanings once every two weeks instead. As under current regulations, these cleanings must be done with a hydraulic pressure mechanism, hand pump suction, a force cleaner, or any other DCP-approved system for this purpose. After cleaning the lines or tubes, they must be rinsed with clear water until all chemicals, if used to clean, are removed.

§§ 7, 10 & 13-14 — FARMERS’ MARKET SALES PERMIT

Expands the farmers’ market sales permit to allow manufacturer permittees for spirits to sell their product at a farmers’ market

By law, a holder of a manufacturer permit for beer; farm winery; and wine, cider, and mead may get a farmers’ market sales permit allowing them to sell their product at farmers’ markets. The bill expands this permit to also allow a holder of a manufacturer permit for spirits to sell spirits at a farmers’ market.

Existing law allows these sales at the farmers’ market if the permittee (1) has an invitation from the farmers’ market; (2) only sells these products by the bottle or in sealed containers; and (3) is present, or has an authorized representative present, at the time of any sale. The permit authorizes the sale of these products during an unlimited number of appearances at a farmers’ market and at up to 10 locations per year. Any town or municipality, by ordinance or zoning regulation, may prohibit the sale of these products at a farmers’ market held in the town or municipality. The annual fee for the permit is \$250 with a \$100

nonrefundable filing fee.

The bill also makes technical and conforming changes regarding farmers' market sales permits, including specifying that a manufacturer permit for beer is authorized to sell beer at retail under a farmers' market sales permit.

§§ 8 & 20-21 — TOBACCO BARS

Allows the establishment of certain additional tobacco bars to allow smoking indoors, including the smoking of e-cigarettes

The bill allows the establishment of additional tobacco bars to allow smoking indoors, including e-cigarettes. The bill also allows tobacco bars to expand in size or change locations, which is prohibited under current law.

Under current law, only tobacco bars with an alcoholic liquor permit that generate 10% or more of their total annual gross income from onsite tobacco product sales and onsite humidor rentals can allow (1) smoking indoors as of 2002 and (2) indoor vaping of e-cigarettes as of 2015. By law, "tobacco product" means any substance that contains tobacco, including cigarettes, cigars, pipe tobacco, or chewing tobacco.

The bill allows additional tobacco bars that hold alcoholic liquor permits and begin operating on or after October 1, 2023, to allow smoking indoors or indoor vaping if they:

1. are located in a stand-alone building or, if connected to another building, use their own heating, ventilation, or air conditioning system to prevent co-mingling of air;
2. have a walk-in humidor on the premises;
3. are not located within a five-mile radius of an existing tobacco bar in the same municipality; and
4. generate at least 60% of their gross annual income from onsite tobacco product sales and humidor rentals.

If these conditions are met, the bill deems these bars in compliance with the cafe permit requirements.

§§ 11 & 14 — FESTIVAL PERMIT

Allows (1) for-profit entities to sponsor festivals and (2) manufacturer permittees that hold an out-of-state shipper's permit for beer to make certain types of sales at a festival and ship directly to visitors

By law, a festival sponsor may organize and sponsor a festival in Connecticut by inviting eligible manufacturers to participate. The bill expands the definition of the “festival sponsor,” by allowing a Connecticut for-profit entity to be a sponsor if it is registered with the Secretary of the State to do business in the state and does not hold another alcoholic liquor permit. The bill sets the permit fee for these sponsors at \$275.

Existing law, unchanged by the bill, only allows nonprofit entities to sponsor festivals and their permit fee is \$75.

The bill also removes a specific restriction on manufacturer permittees that hold an out-of-state shipper's permit for beer to make certain types of sales at a festival. Under the bill, these permittees may now:

1. sell, and directly ship, alcoholic liquor to festival visitors who purchase the alcohol at the festival, if allowed under its permit;
2. sell, at retail, bottles and other sealed containers of alcoholic liquor for consumption off the festival premises, subject to its permit limitations (e.g., three liters of spirits per day and nine gallons of beer per day); and
3. sell, at retail, alcoholic liquor by the glass or receptacle for consumption on the festival premises, so long as each glass or receptacle is embossed or permanently labeled with the festival's name and date.

By law, the hours that a festival permittee may sell or provide samples or tastings are as follows: between 8:00 a.m. and 10:00 p.m. on

Monday through Saturday and between 10:00 a.m. and 6:00 p.m. on Sunday.

§§ 12 & 17 — FIRE INSPECTIONS

Specifies that the (1) requirement that liquor permit applicants submit fire safety-related documents apply only to the initial application and (2) completion of the annual required fire inspection for permittees for on-premises alcohol consumption is not a precondition for permit renewal

Current law generally requires individuals applying for an alcoholic liquor permit or seeking a renewal of one to, among other things, submit documents establishing that certain building, fire, and zoning codes and ordinances related to hours or sale will be met. The bill limits this requirement to the initial application only.

The bill also specifies that the completion of the annual required fire inspection for permittees for on-premises alcohol consumption is not a precondition for permit renewal.

Regardless of the requirements of the local fire marshal's inspection law, the bill requires a local fire marshal, deputy fire marshal, fire inspector, or other fire code inspector or fire investigator in a municipality to, at least once per calendar year, inspect all premises in the municipality that operate under a permit that allows for on-premises alcohol consumption.

§§ 18 & 19 — ALCOHOLIC BEVERAGE TAX FOR LIQUOR COOLERS

Establishes a new \$3.57 per wine gallon alcoholic beverage tax for liquor coolers with an alcohol by volume of over 7% ABV by manufacturers that produce up to 50,000 proof gallons

Under existing law, unchanged by the bill, liquor is taxed at \$5.94 per wine gallon and liquor cooler of up to 7% ABV is taxed at \$2.71 per wine gallon. "Liquor" is any beverage that contains alcohol obtained by distillation mixed with drinkable water and other substances in solution.

Under current law, "liquor cooler" means any liquid combined with liquor containing up to 7% ABV.

The bill (1) expands this to include liquor coolers over 7% ABV produced by a person who produces up to 50,000 proof gallons of liquor in a calendar year and (2) establishes a new alcoholic beverage tax of \$3.57 per wine gallon for these items sold on or after July 1, 2023. Under current law, these types of alcohol are taxed as liquor (i.e., \$5.94 per wine gallon).

§ 22 — LIQUOR LIABILITY INSURANCE STUDY

Requires the Liquor Control Commission to (1) study the potential impact of requiring permittees to have liquor liability insurance and (2) report it to the General Law Committee

The bill requires the Liquor Control Commission to study the potential impact of requiring each person seeking a liquor permit or its renewal to attest that he or she has obtained liquor liability insurance. By January 1, 2024, the commission must report to the General Law Committee on the study.

BACKGROUND

Related Bill

sHB 6548, reported favorably by the General Law Committee, contains similar provisions to those:

1. allowing manufacturer permittees that hold an out-of-state shipper's permit for beer to make certain types of sales at a festival and ship directly to visitors, and
2. related to the (a) temporary auction permits and (b) manufacturer permittees for spirits selling at farmers' markets.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/07/2023)