



General Assembly

Corrected Copy
Raised Bill No. 5918

January Session, 2023

LCO No. 3152



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT AUTHORIZING GROCERY STORES TO SELL CIDER AND SMALL WINERY WINES.

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

1 Section 1. Section 30-20 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) For the purposes of this section: []

4 (1) "Farm winery" has the same meaning as provided in subsection
5 (c) of section 30-16;

6 (2) ["grocery store" (1)] "Grocery store" (A) means any store that [(A)]
7 (i) is commonly known as a delicatessen, food store, grocery store or
8 supermarket, and [(B)] (ii) is primarily engaged in the retail sale of
9 various canned goods and dry goods such as coffee, flour, spices, sugar
10 and tea, whether packaged or in bulk, regardless of whether such store
11 sells fresh fruits and vegetables or fresh, prepared or smoked fish, meat
12 and poultry, and [(2)] (B) does not include any store that is primarily
13 engaged in the retail sale of bakery products, candy, nuts and

14 confectioneries, dairy products, eggs and poultry, fruits and vegetables
15 or seafood; [.]

16 (3) "Small winery" means a farm winery, winery or winery group that
17 manufactures not more than one hundred thousand gallons of wine per
18 year;

19 (4) "Small winery wine" means a wine manufactured by a small
20 winery;

21 (5) "Winery" means permit premises operating under a manufacturer
22 permit for wine, cider and mead issued under subsection (d) of section
23 30-16, or a similar permit issued by another state, in which wine is
24 manufactured; and

25 (6) "Winery group" means a group of at least two farm wineries or
26 wineries not commonly owned by a person holding a majority interest
27 in such farm wineries or wineries.

28 (b) (1) A package store permit shall allow the retail sale of alcoholic
29 liquor in sealed bottles or containers not to be consumed on the permit
30 premises. The holder of a package store permit may, in accordance with
31 regulations adopted by the Department of Consumer Protection
32 pursuant to the provisions of chapter 54, (A) offer free samples of
33 alcoholic liquor for tasting on the permit premises, (B) conduct fee-
34 based wine education and tasting classes and demonstrations, and (C)
35 conduct tastings or demonstrations provided by a permittee or backer
36 of the package store for a nominal charge to charitable nonprofit
37 organizations. Any offering, tasting, wine education and tasting class or
38 demonstration held on permit premises shall be conducted only during
39 the hours the package store may sell alcoholic liquor under section 30-
40 91, as amended by this act. No tasting of wine on the permit premises
41 shall be offered from more than ten uncorked bottles at any one time.

42 (2) No store operating under a package store permit shall sell any
43 commodity other than alcoholic liquor except, notwithstanding any
44 other provision of law, such store may sell (A) cigarettes and cigars, (B)

45 publications, (C) bar utensils, including, but not limited to, corkscrews,
46 beverage strainers, stirrers or other similar items used to consume, or
47 related to the consumption of, alcoholic liquor, (D) gift packages of
48 alcoholic liquor shipped into the state by a manufacturer or out-of-state
49 shipper, which gift packages may include nonalcoholic items, other than
50 food or tobacco products, if the dollar value of the nonalcoholic items in
51 such gift package does not exceed the dollar value of the alcoholic items
52 in such gift package, (E) complementary fresh fruits used in the
53 preparation of mixed alcoholic beverages, (F) cheese, crackers or both,
54 (G) olives, (H) nonalcoholic beverages, (I) concentrates used in the
55 preparation of mixed alcoholic beverages, (J) beer and wine-making kits
56 and products related to such kits, (K) ice in any form, (L) articles of
57 clothing imprinted with advertising related to the alcoholic liquor
58 industry, (M) gift baskets or other containers of alcoholic liquor, (N)
59 multiple packages of alcoholic liquors, provided in all such cases the
60 minimum retail selling price for such alcoholic liquor shall apply, (O)
61 lottery tickets authorized by the Department of Consumer Protection, if
62 licensed as an agent to sell such tickets by the department, (P) devices
63 and related accessories designed primarily for accessing and extracting
64 a beverage containing alcohol from prepackaged containers, including,
65 but not limited to, pods, pouches or similar containers, but excluding
66 devices, including, but not limited to, household blenders, that are not
67 designed primarily for such purposes, (Q) alcohol-infused confections
68 containing not more than one-half of one per cent of alcohol by weight
69 and which the commissioner has approved for sale under section 21a-
70 101, and (R) gift baskets containing only containers of alcoholic liquor
71 and commodities authorized for sale under subparagraphs (A) to (Q),
72 inclusive, of this subdivision. A package store permit shall also allow
73 the taking and transmitting of orders for delivery of such merchandise
74 in other states. Notwithstanding any other provision of law, a package
75 store permit shall allow the participation in any lottery ticket promotion
76 or giveaway sponsored by the department. The annual fee for a package
77 store permit shall be five hundred thirty-five dollars.

78 (c) (1) A grocery store beer, cider and small winery wine permit may

79 be granted to any grocery store and shall allow the retail sale of beer,
80 cider and small winery wine in standard size containers not to be
81 consumed on the permit premises, provided cider and small winery
82 wine shall not be sold on the premises of any grocery store located closer
83 than one thousand feet from premises operating under a package store
84 permit issued under subsection (b) of this section. The holder of a
85 grocery store beer, cider and small winery wine permit shall post, in a
86 prominent location adjacent to [the] each beer, [display] cider or small
87 winery wine display, the retail price for each brand of beer, cider or
88 small winery wine, and such retail price shall include all applicable
89 federal and state taxes, including, but not limited to, the applicable state
90 sales taxes.

91 (2) All provisions of law relating to the sale of beer in grocery stores
92 shall apply to the sale of cider and small winery wine in grocery stores.

93 (3) No holder of a grocery store beer, cider and small winery wine
94 permit issued under this subsection that sells small winery wine under
95 such permit may charge a small winery any fee in exchange for
96 merchandising or selling small winery wine manufactured by such
97 small winery.

98 (4) The annual fee for a grocery store beer, cider and small winery
99 wine permit shall be one hundred seventy dollars, or, for a grocery store
100 that has annual sales of food and grocery items of at least two million
101 dollars, one thousand five hundred dollars.

102 (d) The holder of a package store permit or a grocery store beer, cider
103 and small winery wine permit issued under this section may allow
104 curbside pick-up of previously purchased alcoholic liquor by (1) the
105 consumer who purchased such alcoholic liquor, or (2) the holder of an
106 in-state transporter's permit issued under section 30-19f or such holder's
107 agent. Such curbside pick-up shall be limited to the space immediately
108 adjacent to, or in a parking lot abutting, the permit premises. The holder
109 of such package store permit or grocery store beer, cider and small
110 winery wine permit may allow such curbside pick-up only during the

111 hours the package store or grocery store is allowed to sell alcoholic
112 liquor under subsection (d) of section 30-91, as amended by this act,
113 unless a more restrictive municipal ordinance limits such curbside pick-
114 up hours.

115 Sec. 2. Subsection (b) of section 30-16 of the general statutes is
116 repealed and the following is substituted in lieu thereof (*Effective from*
117 *passage*):

118 (b) A manufacturer permit for beer shall allow the manufacture of
119 beer and the storage, bottling and wholesale distribution and sale of
120 beer manufactured or bottled on the premises of the permittee to
121 permittees in this state and without the state as may be permitted by
122 law, but no such permit shall be granted unless the place or the plan of
123 the place of manufacture has received the approval of the Department
124 of Consumer Protection. A holder of a manufacturer permit for beer
125 who sells beer brewed on such premises at wholesale to retail permittees
126 within this state shall make such beer available to all holders of a
127 package store permit issued pursuant to section 30-20, as amended by
128 this act, and to all holders of a grocery store beer, cider and small winery
129 wine permit held pursuant to said section in the geographical region in
130 which the holder of the manufacturer permit for beer self distributes,
131 subject to reasonable limitations, as determined by the Department of
132 Consumer Protection. Such permit shall also allow (1) the retail sale of
133 such beer, and beer brewed in collaboration with at least one other
134 holder of such a permit, to be consumed on the premises with or without
135 the sale of food, (2) the selling at retail from the premises of sealed
136 bottles or other sealed containers of beer brewed on such premises, or
137 in collaboration with at least one other holder of such a permit, for
138 consumption off the premises, and (3) the sale of sealed bottles or other
139 sealed containers of beer brewed on such premises to the holder of a
140 wholesaler permit issued pursuant to section 30-17, provided the holder
141 of such permit produces at least five thousand gallons of beer on the
142 premises annually. Such selling at retail from the premises of sealed
143 bottles or other sealed containers shall comply with the provisions of
144 subsection (d) of section 30-91, as amended by this act, and shall permit

145 not more than nine gallons of beer to be sold to any person on any day
146 on which such sale is authorized under the provisions of subsection (d)
147 of section 30-91, as amended by this act. The annual fee for a
148 manufacturer permit for beer shall be one thousand four hundred
149 dollars. For the purposes of this subsection and section 30-22d,
150 "collaboration" means an arrangement, other than contract brewing or
151 an alternating proprietorship, under which the holder of a manufacturer
152 permit for beer issued under this subsection works together with at least
153 one other such permit holder to manufacture beer by, among other
154 things, sharing the beer recipe or at least forty-nine per cent of the
155 ingredients or labor necessary to manufacture such beer.

156 Sec. 3. Subsection (a) of section 30-48 of the general statutes is
157 repealed and the following is substituted in lieu thereof (*Effective from*
158 *passage*):

159 (a) No backer or permittee of one permit class shall be a backer or
160 permittee of any other permit class except in the case of airline permits
161 issued under section 30-28a, boats operating under in-state transporter's
162 permits issued under section 30-19f, and cafe permits issued under
163 subsections (d) and (h) of section 30-22a, except that: (1) A backer of a
164 hotel permit issued under section 30-21 or a restaurant permit issued
165 under section 30-22 may be a backer of both such classes; (2) a holder or
166 backer of a restaurant permit issued under section 30-22 or a cafe permit
167 issued under subsection (a) of section 30-22a may be a holder or backer
168 of any other or all of such classes; (3) a holder or backer of a restaurant
169 permit issued under section 30-22 may be a holder or backer of a cafe
170 permit issued under subsection (f) of section 30-22a; (4) a backer of a
171 restaurant permit issued under section 30-22 may be a backer of a
172 coliseum permit issued under section 30-33a when such restaurant is
173 within a coliseum; (5) a backer of a hotel permit issued under section 30-
174 21 may be a backer of a coliseum permit issued under section 30-33a; (6)
175 a backer of a grocery store beer, cider and small winery wine permit
176 issued under subsection (c) of section 30-20, as amended by this act, may
177 be (A) a backer of a package store permit issued under subsection (b) of
178 section 30-20, as amended by this act, if such was the case on or before

179 May 1, 1996, and (B) a backer of a restaurant permit issued under section
180 30-22, provided the restaurant permit premises do not abut or share the
181 same space as the grocery store beer, cider and small winery wine
182 permit premises; (7) a backer of a cafe permit issued under subsection
183 (j) of section 30-22a, may be a backer of a nonprofit theater permit issued
184 under section 30-35a; (8) a backer of a nonprofit theater permit issued
185 under section 30-35a may be a holder or backer of a hotel permit issued
186 under section 30-21 or a coliseum permit issued under section 30-33a;
187 (9) a backer of a concession permit issued under section 30-33 may be a
188 backer of a coliseum permit issued under section 30-33a; (10) a holder of
189 an out-of-state winery shipper's permit for wine issued under section
190 30-18a may be a holder of an in-state transporter's permit issued under
191 section 30-19f; (11) a holder of an out-of-state shipper's permit for
192 alcoholic liquor issued under section 30-18 or an out-of-state winery
193 shipper's permit for wine issued under section 30-18a may be a holder
194 of an in-state transporter's permit issued under section 30-19f; (12) a
195 holder of a manufacturer permit for a farm winery issued under
196 subsection (c) of section 30-16 or a manufacturer permit for wine, cider
197 and mead issued under subsection (d) of section 30-16 may be a holder
198 of an in-state transporter's permit issued under section 30-19f, a farmers'
199 market sales permit issued under subsection (a) of section 30-37o, an off-
200 site farm winery sales and tasting permit issued under section 30-16a or
201 any combination of such permits; (13) a holder of a manufacturer permit
202 for beer issued under subsection (b) of section 30-16, as amended by this
203 act, may be a holder of a farmers' market sales permit issued under
204 subsection (a) of section 30-37o; (14) the holder of a manufacturer permit
205 for spirits, beer, a farm winery or wine, cider and mead, issued under
206 subsection (a), (b), (c) or (d), respectively, of section 30-16, as amended
207 by this act, may be a holder of a Connecticut craft cafe permit issued
208 under section 30-22d, a restaurant permit or a restaurant permit for wine
209 and beer issued under section 30-22; (15) the holder of a restaurant
210 permit issued under section 30-22, a cafe permit issued under section 30-
211 22a, or an in-state transporter's permit issued under section 30-19f, may
212 be the holder of a seasonal outdoor open-air permit issued under section
213 30-22e; and (16) the holder of a festival permit issued under section 30-

214 37t may be the holder or backer of one or more of such other classes.
215 Any person may be a permittee of more than one permit. No holder of
216 a manufacturer permit for beer issued under subsection (b) of section
217 30-16, as amended by this act, and no spouse or child of such holder may
218 be a holder or backer of more than three restaurant permits issued under
219 section 30-22 or cafe permits issued under section 30-22a.

220 Sec. 4. Section 30-51a of the general statutes is repealed and the
221 following is substituted in lieu thereof (*Effective from passage*):

222 Notwithstanding the provisions of subdivision (6) of section 30-47
223 and section 30-51, a permittee of premises operating under a grocery
224 store beer, cider and small winery wine permit issued under subsection
225 (c) of section 30-20, as amended by this act, may lease up to fifty per cent
226 of the total square footage of the premises to any person for lawful
227 purposes. The Department of Consumer Protection shall not issue a
228 permit allowing the sale or consumption of alcoholic liquor on any such
229 leased premises, and the sale or consumption of alcoholic liquor shall be
230 unlawful on any such leased premises.

231 Sec. 5. Subsection (d) of section 30-91 of the general statutes is
232 repealed and the following is substituted in lieu thereof (*Effective from*
233 *passage*):

234 (d) The sale or dispensing of alcoholic liquor for off-premises
235 consumption in places operating under package store permits issued
236 under subsection (b) of section 30-20, as amended by this act, druggist
237 permits issued under section 30-36, manufacturer permits issued under
238 section 30-16, as amended by this act, grocery store beer, cider and small
239 winery wine permits issued under subsection (c) of section 30-20, as
240 amended by this act, or religious wine retailer permits issued under
241 section 30-37s shall be unlawful on Thanksgiving Day, New Year's Day
242 and Christmas; and such sale or dispensing of alcoholic liquor for off-
243 premises consumption in places operating under package store permits,
244 druggist permits, manufacturer permits for beer, grocery store beer,
245 cider and small winery wine permits and religious wine retailer permits

246 shall be unlawful on Sunday before ten o'clock a.m. and after six o'clock
247 p.m. and on any other day before eight o'clock a.m. and after ten o'clock
248 p.m. Any town may, by a vote of a town meeting or by ordinance,
249 reduce the number of hours during which such sale shall be permissible.

250 Sec. 6. Subsections (b) to (e), inclusive, of section 30-114 of the general
251 statutes are repealed and the following is substituted in lieu thereof
252 (*Effective from passage*):

253 (b) Any holder of a package store permit or a grocery store beer, cider
254 and small winery wine permit under section 30-20, as amended by this
255 act, that sells kegs for consumption off the permit premises shall, at the
256 time of sale, (1) place an identification tag on all kegs sold by the
257 permittee, (2) require each purchaser of any such keg to sign a receipt
258 for the keg, and (3) inform such purchaser that any deposit paid by the
259 purchaser for the keg, if required, shall be forfeited if the keg is returned
260 without the original identification tag intact and readable.

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

267 (2) The receipt required under subdivision (2) of subsection (b) of this
268 section shall be on a form prescribed and furnished by the department
269 and shall include the name, address and signature of the purchaser of
270 the keg and the purchaser's motor vehicle operator's license number or
271 such other identifying information as the department may prescribe by
272 regulation under section 30-6a. The permittee shall retain a copy of all
273 such receipts on the permit premises for a period of six months. Such
274 receipts shall be available for inspection and copying by the department
275 or any authorized criminal justice agency.

276 (3) The information required under subdivision (3) of subsection (b)
277 of this section may be given verbally to each purchaser of a keg or may

278 be provided by means of a sign conspicuously posted at the point of sale
 279 in such form and containing such disclosures as the department may
 280 require by regulation under section 30-6a.

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

284 (d) No holder of a package store permit or a grocery store beer, cider
 285 and small winery wine permit under section 30-20, as amended by this
 286 act, may refund any deposit upon the return of any keg that (1) does not
 287 have an identification tag required under subdivision (1) of subsection
 288 (b) of this section, or (2) has an identification tag that has been defaced
 289 to the extent that the information contained on the tag cannot be read.

290 (e) The violation of any provision of this section by any holder of a
 291 package store permit or a grocery store beer, cider and small winery
 292 wine permit under section 30-20, as amended by this act, [of any
 293 provision of this section] shall be cause for revocation or suspension of
 294 such permit under section 30-55.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | <i>from passage</i> | 30-20 |
| Sec. 2 | <i>from passage</i> | 30-16(b) |
| Sec. 3 | <i>from passage</i> | 30-48(a) |
| Sec. 4 | <i>from passage</i> | 30-51a |
| Sec. 5 | <i>from passage</i> | 30-91(d) |
| Sec. 6 | <i>from passage</i> | 30-114(b) to (e) |

Statement of Purpose:

To: (1) Expand the existing grocery store beer permit to include sales of (A) cider, and (B) wine manufactured by small wineries; and (2) specify that a grocery store may not sell cider or small winery wine if such store is located within one thousand feet of a package store.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]