



General Assembly

January Session, 2023

Raised Bill No. 975

LCO No. 3932



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

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

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

1 Section 1. Subdivision (6) of section 42-515 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2023*):

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

14 Sec. 2. Subsection (a) of section 30-22a of the general statutes is

15 repealed and the following is substituted in lieu thereof (*Effective July 1,*
16 *2023*):

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

49 hundred dollars for the first year, twelve hundred dollars for the second
50 year, one thousand six hundred dollars for the third year and two
51 thousand dollars for each year thereafter.

52 Sec. 3. Subsection (c) of section 30-91 of the general statutes is
53 repealed and the following is substituted in lieu thereof (*Effective July 1,*
54 *2023*):

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

69 Sec. 4. Subsection (a) of section 52-557l of the general statutes is
70 repealed and the following is substituted in lieu thereof (*Effective October*
71 *1, 2023*):

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

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

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2023</i>	42-515(6)
Sec. 2	<i>July 1, 2023</i>	30-22a(a)
Sec. 3	<i>July 1, 2023</i>	30-91(c)
Sec. 4	<i>October 1, 2023</i>	52-5571(a)

Statement of Purpose:

To make minor and technical revisions to statutes concerning consumer protection.

[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.]