



PA 23-103—sSB 905

General Law Committee

Finance, Revenue and Bonding Committee

AN ACT CONCERNING ALCOHOLIC LIQUOR PERMITS AND TOBACCO BARS

SUMMARY: This act allows additional tobacco bars to allow certain smoking indoors, including cigars, e-cigarettes, and an electronic cannabis delivery system, but not cigarettes. It does so by allowing a tobacco bar that began operations between January 1, 2003, and December 31, 2022, and holds an alcoholic liquor cafe permit, to do so under certain conditions (e.g., if it generated at least 60% of the tobacco bar’s total annual gross sales from tobacco products).

The act also (1) allows tobacco bars to expand in size or change locations, which was prohibited under prior law; (2) narrows what is considered a “tobacco product” for both new and existing tobacco bars, to only be cigars and pipe tobacco, by eliminating cigarettes and chewing tobacco from its definition; and (3) specifies that tobacco bars must have a cafe permit instead of an unspecified alcoholic liquor permit, as under prior law.

By law, manufacturer permittees may receive a Connecticut craft cafe permit to, among other things, sell other Connecticut manufactured alcohol for on-premises consumption. Under prior law, a Connecticut craft cafe permittee could only purchase for resale on its premises, alcoholic liquor from other manufacturer permittees. The act additionally allows these craft cafe permittees to purchase the alcohol from wholesaler permittees with distribution rights to the alcohol.

The act also makes various minor, technical, and conforming changes.

EFFECTIVE DATE: October 1, 2023, except the Connecticut craft cafe provision is effective July 1, 2023.

TOBACCO BARS

Existing Bars

Prior law only allowed indoor smoking in tobacco bars that had an alcoholic liquor permit and generated at least 10% of their total annual gross income from on-site tobacco product sales and on-site humidor rentals in 2002; with indoor vaping allowed based on sales from 2015. The act modifies the requirement for indoor vaping by requiring that minimum sales be based on 2002 instead of 2015.

Additional Bars

The act allows a tobacco bar that holds a cafe permit that began operations between January 1, 2003, and December 31, 2022, to allow indoor smoking and

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vaping if it:

1. generated at least 60% of its total annual gross sales from tobacco products as annually determined by an independent certified public accountant;
2. is located in a municipality with a population of at least 80,000 with no other tobacco bar;
3. does not allow cigarettes or cigarette tobacco on the premises;
4. contains a walk-in humidor as a built-in feature on the premises;
5. is located in a building that (a) no other owner-occupant, lessee, or tenant has a right to possess or (b) uses the tobacco bar's own heating, ventilation, or air conditioning system to prevent the commingling of air;
6. is located in premises equipped with a ventilation system that (a) provides local mechanical exhaust with no recirculation, (b) circulates at least 60 cubic feet of outdoor air per person per minute to provide adequate indoor air quality, and (c) satisfies the requirements established in ANSI/ASHRAE 62-2001, "ventilation for acceptable indoor air quality"; and
7. provides health coverage to the tobacco bar's employees and their dependents under the federal Affordable Care Act.

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