
OLR Bill Analysis

sSB 340

AN ACT CONCERNING TOBACCO DEALER LICENSES.

SUMMARY

This bill (1) requires applicants for a Department of Revenue Services (DRS) cigarette dealer's license to post certain newspaper notices and signs (i.e., placards) at their businesses about their permit applications, and (2) provides a process for 10 or more people to object to the applicant's suitability or the proposed place of business. Similar provisions apply under existing law for liquor permits.

The bill also allows municipalities to adopt ordinances requiring anyone applying to renew a cigarette dealer's license to simultaneously give written notice of the application to the chief law enforcement official or his or her designee in the municipality where the business is located. (By law, municipalities may already do this for those applying to renew a liquor permit that allows on-premises serving or consumption.) The bill (1) allows the official or designee to send written comments on the application to the DRS commissioner within 15 days after receiving the notice and (2) requires the DRS commissioner to consider the comments before renewing the license.

Lastly, the bill requires the DRS commissioner to report, by January 1, 2026, to the Finance, Revenue and Bonding; Planning and Development; and Public Safety and Security committees on:

1. the number and copies of written comments submitted;
2. a summary of actions DRS took in granting or denying any cigarette dealer's license renewal application subject to the bill's notice requirement; and
3. the commissioner's conclusions and recommendations, after

consulting with chief law enforcement officials or their designees, about the notice requirement.

EFFECTIVE DATE: October 1, 2024

NEWSPAPER NOTICE

Under the bill, after filing an application with DRS, a cigarette dealer license applicant must publish two notices of the application on a DRS-prescribed form in a local newspaper with general circulation in the town where the licensed business will be located. The notices must state the applicant's name, residential address, and business location and, at a minimum, run weekly for two successive weeks.

The notices must be published within seven and 14 days after the application's filing date, respectively. Under the bill, the "filing date" is the date DRS, after approving the application for processing, mails or delivers to the applicant a placard with the date.

PLACARDS

The bill requires an applicant to attach and maintain the DRS-provided placard in a legible condition on the business's outer door that is clearly visible from the street, within a day after the applicant receives the placard. If the outer door is so far from the street that the placard is not clearly visible, DRS must find another suitable method to notify the public of the application.

When a license application is filed for an unconstructed building, the applicant must build and maintain a legible sign that is at least six feet by four feet where the business is to be located. The sign must (1) include the license applied for and the proposed licensee's name; (2) be clearly visible from the street; and (3) be put up by the day after the applicant receives the placard.

The applicant must make a return to DRS, under oath, of compliance with the notice and placard requirements, on a DRS form. The department may require additional proof of compliance. Upon receiving evidence of compliance, DRS may hold a hearing on the proposed location's suitability.

OBJECTIONS TO A PROPOSED OR RENEWED CIGARETTE DEALER'S LICENSE

The bill allows any 10 individuals who are at least age 18 and reside in the town in which the cigarette dealer's business is proposed or currently located, to file a "remonstrance" (i.e., objection) with DRS. For initial licenses, they must file a remonstrance within three weeks after the last day the license applicant's newspaper notice was published. For renewals, they must file it at least 21 days before the license renewal date.

The remonstrance must include any objection to the suitability of the applicant or proposed business place, provided the issue is not controlled by local zoning. If a remonstrance is filed and the individuals apply in writing, DRS must hold a hearing and give at least five days' notice.

The remonstrants (i.e., the people making the objection) must designate one or more agents for service to receive all DRS notices. At any time before DRS issues a decision, the remonstrants or their agents may withdraw a remonstrance and DRS may cancel the hearing or withdraw the case. The DRS decision on the application is final for the remonstrance.

COMMITTEE ACTION

Public Safety and Security Committee

Joint Favorable Substitute

Yea 25 Nay 0 (03/19/2024)