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## OLR Bill Analysis

### HB 5261

#### ***AN ACT PROHIBITING THE SALE OF ENERGY DRINKS TO INDIVIDUALS UNDER SIXTEEN YEARS OF AGE.***

#### **SUMMARY**

Starting January 1, 2025, this bill prohibits anyone who sells energy drinks to retail consumers (“dealers”) from doing so to individuals under age 16. The ban applies to soft drinks with (1) at least 80 milligrams of caffeine per nine fluid ounces and (2) methylxanthines, B vitamins, an herbal ingredient, or an ingredient labeled “energy blend.”

Under the bill, dealers, including their agents and employees, must require consumers who try to buy an energy drink and whose age is in question, to verify it by presenting a valid driver’s license, identity card, or passport. The bill (1) prohibits dealers from selling an energy drink to someone who is asked for identification but does not provide it and (2) requires dealers to have a legible notice at each point of sale stating that the law prohibits the sale of these drinks to anyone under age 16.

Lastly, the bill authorizes the Department of Consumer Protection to enforce these requirements. A violation is punishable by a (1) warning for the first offense, (2) fine of up to \$200 for a second offense occurring within two years after the first offense, and (3) fine of up to \$350 for a third or subsequent offense occurring within two years after a prior offense.

EFFECTIVE DATE: October 1, 2024

#### **COMMITTEE ACTION**

Committee on Children

Joint Favorable

Yea 13    Nay 6    (03/05/2024)