

House of Representatives, March 26, 1998. The Committee on General Law reported through REP. FOX, 144th DIST., Chairman of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING DRINK PROMOTIONS.

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

1 Section 30-94 of the general statutes is  
2 repealed and the following is substituted in lieu  
3 thereof:

4 (a) No permittee or group of permittees  
5 licensed under the provisions of this chapter in  
6 transaction with another permittee or group of  
7 permittees shall directly or indirectly offer,  
8 furnish or receive any free goods, gratuities,  
9 gifts, prizes, coupons, premiums, combination  
10 items, quantity prices, cash returns, loans,  
11 discounts, guarantees, inducements or special  
12 prices, or other inducements with the sale of  
13 alcoholic beverages or liquors. No permittee shall  
14 require any purchaser to accept additional  
15 alcoholic liquors in order to make a purchase of  
16 any other alcoholic liquor.

17 (b) NO RETAIL PERMITTEE SHALL, DIRECTLY OR  
18 INDIRECTLY, OFFER ANY DISCOUNT, PRICE OR OTHER  
19 PROMOTION IN CONNECTION WITH THE SALE OF DRINKS,  
20 INCLUDING, BUT NOT LIMITED TO: (1) SELLING OR  
21 OFFERING LARGER DRINKS AT THE PRICE OF SMALLER  
22 DRINKS; (2) SELLING, OFFERING, OR DELIVERING MORE  
23 THAN ONE DRINK TO ANY ONE PERSON FOR SUCH PERSON'S

24 OWN CONSUMPTION AT ANY ONE TIME; (3) SELLING,  
25 OFFERING OR DELIVERING DRINKS BY THE PITCHER OR  
26 OTHER VESSEL CONTAINING MORE THAN ONE DRINK AT ANY  
27 ONE TIME, EXCEPT TO TWO OR MORE PERSONS, EXCLUDING  
28 MINORS; (4) SELLING, OFFERING OR DELIVERING TO ANY  
29 PERSON AN UNLIMITED NUMBER OF DRINKS DURING ANY  
30 SET PERIOD OF TIME FOR A FIXED PRICE; AND (5)  
31 ENCOURAGING OR PERMITTING, ON THE PERMIT PREMISES,  
32 ANY GAME OR CONTEST WHICH INVOLVES DRINKING OR THE  
33 AWARDING OF DRINKS AS PRIZES. NO RETAIL PERMITTEE  
34 SHALL SELL ANY ALCOHOLIC LIQUOR MIXED WITH A  
35 GELATIN PRODUCT. THE PROVISIONS OF THIS SUBSECTION  
36 SHALL NOT APPLY TO ANY PRIVATE FUNCTION OR  
37 GATHERING OF PERSONS FOR CEREMONY OR ENTERTAINMENT  
38 OR ANY OTHER PURPOSE HELD IN A ROOM OR ROOMS ON  
39 THE PERMIT PREMISES OF A RETAIL PERMITTEE,  
40 PROVIDED SUCH PRIVATE FUNCTION SHALL NOT BE OPEN  
41 TO THE GENERAL PUBLIC DURING THE FUNCTION AND  
42 SHALL BE RESTRICTED TO INVITED GUESTS. AS USED IN  
43 THIS SUBSECTION, "RETAIL PERMITTEE" MEANS THE  
44 HOLDER OF A PERMIT ALLOWING THE SALE OF ALCOHOLIC  
45 LIQUOR FOR CONSUMPTION ON THE PREMISES, AND  
46 "DRINK" MEANS A UNIT OF ALCOHOLIC LIQUOR, OR  
47 LIQUID CONTAINING ALCOHOLIC LIQUOR, CUSTOMARILY  
48 CONSIDERED IN THE TRADE OF RETAIL PERMITTEES AS A  
49 SINGLE SERVING FOR ONE PERSON, INCLUDING, BUT NOT  
50 LIMITED TO, A DOUBLE, HALF-BOTTLE, HALF-CARAFE AND  
51 SPLIT.

52 GL COMMITTEE VOTE: YEA 16 NAY 0 JFS

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"THE FOLLOWING FISCAL IMPACT STATEMENT AND BILL ANALYSIS ARE PREPARED FOR THE BENEFIT OF MEMBERS OF THE GENERAL ASSEMBLY, SOLELY FOR PURPOSES OF INFORMATION, SUMMARIZATION AND EXPLANATION AND DO NOT REPRESENT THE INTENT OF THE GENERAL ASSEMBLY OR EITHER HOUSE THEREOF FOR ANY PURPOSE."

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**FISCAL IMPACT STATEMENT - BILL NUMBER SHB 5440**

STATE IMPACT                   None, see explanation below  
 MUNICIPAL IMPACT           None  
 STATE AGENCY(S)           Department of Consumer Protection

**EXPLANATION OF ESTIMATES:**

This bill prohibits on-premises liquor sellers from selling any drink containing alcohol mixed with a gelatin product. The bill also prohibits in statute several practices now prohibited in regulation. Since it is anticipated that the enforcement of the prohibitions contained in the bill can be handled within the current administrative practices of the Department of Consumer Protection, the passage of this bill is not expected to result in a fiscal impact.

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**OLR BILL ANALYSIS**

SHB 5440

**AN ACT CONCERNING DRINK PROMOTIONS**

**SUMMARY:** This bill prohibits on-premises liquor sellers from selling any drink containing alcohol mixed with a gelatin product. It prohibits them from offering any discount on liquor, including selling or offering to sell larger drinks at the price of smaller ones. It also prohibits by statute the following practices which are currently prohibited by regulations: (1) selling, offering, or delivering more than one drink to one person for his own consumption at one time; (2)

selling, offering, or delivering drinks by the pitcher or other vessel containing more than one drink at one time, except to two or more adults; (3) selling, offering, or delivering to a person an unlimited number of drinks during a set period of time for a fixed price; or (4) encouraging or allowing a game or contest which involves drinking or awarding drinks as prizes. "Drink" means a unit of liquor, or of a liquid containing liquor, customarily considered in the trade as a single serving for one person. It can include a double, half-bottle, half-carafe, and split.

Like the regulations, the bill exempts private functions for ceremony, entertainment, or any other purpose held in private rooms on the retail premises. Under the bill, the functions are exempt only if they are not open to the general public and are restricted to invited guests.

EFFECTIVE DATE: October 1, 1998

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute  
Yea 16 Nay 0