



# House of Representatives

General Assembly

**File No. 583**

February Session, 2016

Substitute House Bill No. 5324

*House of Representatives, April 12, 2016*

The Committee on Finance, Revenue and Bonding reported through REP. BERGER of the 73rd Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

## ***AN ACT CONCERNING ALCOHOLIC LIQUOR.***

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

1 Section 1. Subsection (a) of section 30-22b of the general statutes is  
2 repealed and the following is substituted in lieu thereof (*Effective July*  
3 *1, 2016*):

4 (a) A restaurant permit for a catering establishment shall allow a  
5 catering establishment to serve alcoholic liquor at a function, occasion  
6 or event on the premises of a catering establishment, [;] provided (1)  
7 [that] alcoholic liquor shall be sold only to persons invited to and  
8 attending such a function, occasion or event, and (2) [that] alcoholic  
9 liquor shall be sold only during the specific hours such function,  
10 occasion or event is scheduled on the premises. The permittee shall  
11 comply with the regulations of the local department of health. The  
12 department may waive the requirements of subdivisions (1) and (2) of  
13 this subsection for not more than [four] sixteen functions, occasions or  
14 events of a catering establishment annually, provided such

15 establishment makes written application to the department at least ten  
16 days prior to the scheduled date of the function, occasion or event for  
17 which a waiver is sought. The annual fee for a restaurant permit for a  
18 catering establishment shall be one thousand four hundred fifty  
19 dollars.

20 Sec. 2. Subsection (a) of section 30-91 of the 2016 supplement to the  
21 general statutes is repealed and the following is substituted in lieu  
22 thereof (*Effective from passage*):

23 (a) The sale or the dispensing or consumption or the presence in  
24 glasses or other receptacles suitable to permit the consumption of  
25 alcoholic liquor by an individual in places operating under hotel  
26 permits, restaurant permits, cafe permits, restaurant permits for  
27 catering establishments, bowling establishment permits, racquetball  
28 facility permits, club permits, coliseum permits, coliseum concession  
29 permits, special sporting facility restaurant permits, special sporting  
30 facility employee recreational permits, special sporting facility guest  
31 permits, special sporting facility concession permits, special sporting  
32 facility bar permits, golf country club permits, nonprofit public  
33 museum permits, university permits, airport restaurant permits,  
34 airport bar permits, airport airline club permits, tavern permits, a  
35 manufacturer permit for a brew pub, manufacturer permits for beer  
36 and brew pubs, casino permits, caterer liquor permits and charitable  
37 organization permits shall be unlawful on: (1) Monday, Tuesday,  
38 Wednesday, Thursday and Friday between the hours of one o'clock  
39 a.m. and nine o'clock a.m.; (2) Saturday between the hours of two  
40 o'clock a.m. and nine o'clock a.m.; (3) Sunday between the hours of  
41 two o'clock a.m. and [eleven] ten o'clock a.m.; (4) Christmas, except (A)  
42 for alcoholic liquor that is served where food is also available during  
43 the hours otherwise permitted by this section for the day on which  
44 Christmas falls, and (B) by casino permittees at casinos, as defined in  
45 section 30-37k; and (5) January first between the hours of three o'clock  
46 a.m. and nine o'clock a.m., except that on any Sunday that is January  
47 first the prohibitions of this section shall be between the hours of three  
48 o'clock a.m. and eleven o'clock a.m.

49 Sec. 3. Subsection (d) of section 30-91 of the 2016 supplement to the  
50 general statutes is repealed and the following is substituted in lieu  
51 thereof (*Effective from passage*):

52 (d) The sale or dispensing of alcoholic liquor in places operating  
53 under package store permits, drug store permits, manufacturer  
54 permits for beer, manufacturer permits for beer and brew pubs or  
55 grocery store beer permits shall be unlawful on Thanksgiving Day,  
56 New Year's Day, [or] Christmas or Easter; and such sale or dispensing  
57 of alcoholic liquor in places operating under package store permits,  
58 drug store permits, manufacturer permits for beer, manufacturer  
59 permits for beer and brew pubs and grocery store beer permits shall be  
60 unlawful on Sunday before ten o'clock a.m. and after six o'clock p.m.  
61 and on any other day before eight o'clock a.m. and after ten o'clock  
62 p.m. It shall be unlawful for the holder of a manufacturer permit for a  
63 brew pub to sell beer for consumption off the premises on the days or  
64 hours prohibited by this subsection. Any town may, by a vote of a  
65 town meeting or by ordinance, reduce the number of hours during  
66 which such sale shall be permissible.

67 Sec. 4. Subsection (f) of section 30-91 of the 2016 supplement to the  
68 general statutes is repealed and the following is substituted in lieu  
69 thereof (*Effective from passage*):

70 (f) The retail sale of wine and the tasting of free samples of wine by  
71 visitors and prospective retail customers of a permittee holding a  
72 manufacturer permit for a farm winery on the premises of such  
73 permittee shall be unlawful on [Sunday before eleven o'clock a.m. and  
74 after ten o'clock p.m. and on] any [other] day before ten o'clock a.m.  
75 and after ten o'clock p.m. Any town may, by vote of a town meeting or  
76 by ordinance, reduce the number of hours during which sales and the  
77 tasting of free samples of wine under this subsection shall be  
78 permissible.

79 Sec. 5. Subdivision (7) of subsection (e) of section 30-16 of the 2016  
80 supplement to the general statutes is repealed and the following is  
81 substituted in lieu thereof (*Effective from passage*):

82 (7) A holder of a manufacturer permit for a farm winery may sell  
 83 and offer free tastings of wine manufactured from such winery at a  
 84 farmers' market, as defined in section 22-6r, that is operated as a  
 85 nonprofit enterprise or association, provided such farmers' market  
 86 invites such holder to sell wine at such farmers' market and such  
 87 holder has a farmers' market wine sales permit issued by the  
 88 Commissioner of Consumer Protection in accordance with the  
 89 provisions of subsection (a) of section 30-37o.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>July 1, 2016</i>	30-22b(a)
Sec. 2	<i>from passage</i>	30-91(a)
Sec. 3	<i>from passage</i>	30-91(d)
Sec. 4	<i>from passage</i>	30-91(f)
Sec. 5	<i>from passage</i>	30-16(e)(7)

**FIN**      *Joint Favorable Subst.*

The following Fiscal Impact Statement and Bill Analysis are prepared for the benefit of the 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 chamber thereof for any purpose. In general, fiscal impacts are based upon a variety of informational sources, including the analyst's professional knowledge. Whenever applicable, agency data is consulted as part of the analysis, however final products do not necessarily reflect an assessment from any specific department.

**OFA Fiscal Note**

**State Impact:**

Agency Affected	Fund-Effect	FY 17 \$	FY 18 \$
Resources of the General Fund	GF - Potential Revenue Loss	Up to 50,000	Up to 50,000
Resources of the General Fund	GF - Revenue Gain	Minimal	Minimal

Note: GF=General Fund

**Municipal Impact:** None

**Explanation**

**Section 1** increases, from four to sixteen, the number of functions for which catering establishments may waive the requirements (1) to serve only guests of a function, occasion or event and (2) to sell alcohol during a function, occasion or event.

This results in a potential minimal revenue gain in sales tax, to the extent that catering establishments increase sales of alcohol from this extension.

**Sections 2 and 4** may result in a potential minimal revenue gain in sales tax by extending by one hour on Sunday the sale of alcohol for on-premise consumption and the sale of alcohol by manufacturer permittees for a farm winery. Any potential revenue gain would result only to the extent that additional sales of alcohol are generated that otherwise would not occur during the hours currently allowed by law.

**Section 3** results in a potential minimal revenue loss of up to \$50,000 in sales tax by prohibiting the sale of alcohol on Easter Sunday. Any potential revenue loss would result only to the extent that

consumers do not shift purchases to other allowable days under the bill. The prohibition of the sale of alcohol on Easter Sunday does not alter the responsibilities or duties of the Department of Consumer Protection and therefore does not result in a fiscal impact to the agency.

The impacts to the sales tax listed above would also result in corresponding impacts to the Municipal Revenue Sharing Account and the Special Transportation Fund.<sup>1</sup>

### ***The Out Years***

The annualized ongoing fiscal impact identified above would continue into the future subject to inflation.

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<sup>1</sup> PA 15-244, as amended by PA 15-5 JSS and PA 15-1 DSS, requires a monthly transfer of a portion of the sales tax generated into the Municipal Revenue Sharing Account and the Special Transportation Fund. The general sales and use tax rate, from which the diversion occurs, remains at 6.35%.

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**OLR Bill Analysis**

**sHB 5324**

***AN ACT CONCERNING ALCOHOLIC LIQUOR.***

**SUMMARY:**

This bill makes several unrelated changes to the Liquor Control Act.

The bill generally allows permittees that sell or dispense alcohol for on-premises consumption (e.g., restaurants and taverns) and manufacturer permittees for a farm winery to sell and dispense alcohol an hour earlier on Sundays, starting at 10:00 a.m. instead of 11:00 a.m.

It also generally prohibits permittees that sell or dispense alcohol for off-premises consumption (e.g., package stores and grocery stores) from selling or dispensing alcohol on Easter Sunday. The law already prohibits such actions on Thanksgiving Day, New Year's Day, and Christmas.

The bill increases the number of times, from four to 16, that the Department of Consumer Protection can waive the requirement that restaurant permittees for a catering establishment must only (1) serve alcohol for on-premises consumption to guests invited to and attending a function, occasion, or event at the catering establishment and (2) sell alcohol during the specific hours the function, occasion, or event is scheduled. By law, the establishment must apply for a waiver at least 10 days before the scheduled function, occasion, or event.

Under the bill, a manufacturer permittee for a farm winery may offer free wine tastings at a farmers' market if the wine was manufactured at the winery. By law, a permittee can already sell such wine at retail at the farmers' market. He or she must be invited by the farmers' market and hold a farmers' market wine sales permit.

EFFECTIVE DATE: Upon passage, except July 1, 2016 for the restaurant catering permit provision.

**SUNDAY SALES**

The bill generally allows permittees that sell or dispense alcohol for on-premises consumption to open an hour earlier on Sunday, starting at 10:00 a.m. instead of 11:00 a.m. By law, these activities are allowed from 9:00 a.m. to 1:00 a.m. the next morning from Monday through Thursday, and from 9:00 a.m. to 2:00 a.m. the next morning on Friday and Saturday.

The bill also allows farm winery permittees to sell bottles of wine at retail and dispense free samples at their wineries an hour earlier on Sunday, starting at 10:00 a.m. instead of 11:00 a.m.

**BACKGROUND**

***Legislative History***

The House referred the bill (File 63) to the Finance, Revenue and Bonding Committee, which reported a substitute bill. The substitute bill eliminates a provision from the original bill that required in-state transporter permittees that transport alcohol into Connecticut to file a report with the Department of Revenue Services.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute  
Yea 18 Nay 0 (03/04/2016)

Finance, Revenue and Bonding Committee

Joint Favorable Substitute  
Yea 45 Nay 3 (04/05/2016)