



House of Representatives

File No. 686

General Assembly

February Session, 2022 **(Reprint of File No. 193)**

Substitute House Bill No. 5330
As Amended by House Amendment
Schedule "A"

Approved by the Legislative Commissioner
April 29, 2022

**AN ACT CONCERNING CANNABIS ADVERTISING AND THE
DEPARTMENT OF CONSUMER PROTECTION'S
RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE
CONSUMER PROTECTION STATUTES.**

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

1 Section 1. Section 30-1 of the 2022 supplement to the general statutes
2 is repealed and the following is substituted in lieu thereof (*Effective from*
3 *passage*):

4 For the [interpretation] purposes of this chapter and section 2 of this
5 act, unless the context indicates a different meaning:

6 (1) "Airline" means any (A) United States airline carrier [] holding a
7 certificate of public convenience and necessity from the Civil
8 Aeronautics Board under Section 401 of the Federal Aviation Act of
9 1958, as amended from time to time, or [any] (B) foreign flag carrier []
10 holding a permit under Section 402 of [such] said act.

11 (2) "Alcohol" (A) means the product of distillation of any fermented
12 liquid [,] that is rectified [either] at least once [or more often, whatever
13 may be the] and regardless of such liquid's origin, [thereof,] and (B)
14 includes synthetic ethyl alcohol which is considered nonpotable.

15 (3) ["Alcoholic liquor" or "alcoholic beverage" includes] "Alcoholic
16 beverage" and "alcoholic liquor" include the four varieties of liquor
17 defined in subdivisions (2), (5), [(18)] (21) and [(19)] (22) of this section
18 (alcohol, beer, spirits and wine) and every liquid or solid, patented or
19 [not] unpatented, containing alcohol, [spirits, wine or] beer, spirits or
20 wine and at least one-half of one per cent alcohol by volume, and
21 capable of being consumed by a human being [for] as a beverage,
22 [purposes.] Any liquid or solid containing more than one of the four
23 varieties so defined [is considered as belonging to that] belongs to the
24 variety which has the [higher] highest percentage of alcohol [,]
25 according to the following order: Alcohol, spirits, wine and beer, except
26 as provided in subdivision [(19)] (22) of this section. [The provisions of
27 this chapter shall not apply to any liquid or solid containing less than
28 one-half of one per cent of alcohol by volume.]

29 (4) "Backer" means, except in cases where the permittee is [himself]
30 the proprietor, the proprietor of any business or club, incorporated or
31 unincorporated, that is engaged in [the manufacture or sale of]
32 manufacturing or selling alcoholic liquor [,] and in which business a
33 permittee is associated, whether as an agent, employee [, agent] or part
34 owner.

35 (5) "Beer" means any beverage obtained by the alcoholic fermentation
36 of [an infusion or decoction of barley, malt and hops] a decoction or
37 infusion of barley, hops and malt in drinking water.

38 (6) "Boat" means any vessel that is (A) operating on any waterway of
39 this state, and (B) engaged in transporting passengers for hire to or from
40 any port of this state.

41 [(6) (A)] (7) "Case price" means the price of a container made of
42 cardboard, wood or any other material [,] and containing units of the

43 same [size and] class and size of alcoholic liquor. [, and (B) a] A case of
44 alcoholic liquor, other than beer, cocktails, cordials, [cocktails, wines
45 and prepared mixed drinks] prepared mixed drinks and wines, shall be
46 in the [number and] quantity and number, or fewer, with the permission
47 of the Commissioner of Consumer Protection, of bottles or units [or
48 bottles] as follows: [(i) Six] (A) Six one thousand seven hundred fifty
49 milliliter bottles, [, (ii)] (B) six one thousand eight hundred milliliter
50 bottles, (C) twelve seven hundred milliliter bottles, (D) twelve seven
51 hundred twenty milliliter bottles, (E) twelve seven hundred fifty
52 milliliter bottles, (F) twelve nine hundred milliliter bottles, (G) twelve
53 one liter bottles, [, (iii) twelve seven hundred fifty milliliter bottles; (iv)]
54 (H) twenty-four three hundred seventy-five milliliter bottles, [, (v)] (I)
55 forty-eight two hundred milliliter bottles, [, (vi)] (J) sixty one hundred
56 milliliter bottles, [, or (vii)] or (K) one hundred twenty fifty milliliter
57 bottles, except a case of fifty milliliter bottles may be in a [number and]
58 quantity and number as originally configured, packaged and sold by the
59 manufacturer or out-of-state shipper prior to shipment [, provided such]
60 if the number of such bottles [does not exceed] in such case is not greater
61 than two hundred. The commissioner shall not authorize fewer
62 quantities or numbers [or quantities of units or] of bottles or units as
63 specified in this subdivision for any one person or entity more than eight
64 times in any calendar year. For the purposes of this subdivision, "class"
65 has the same meaning as [defined in] provided in 27 CFR 4.21 for wine,
66 27 CFR 5.22 for spirits [, as defined in 27 CFR 4.21 for wine, and as
67 defined in] and 27 CFR 7.24 for beer.

68 [(7)] (8) "Charitable organization" means any nonprofit organization
69 that (A) is organized for charitable purposes, [to which has been issued
70 a ruling by] and (B) has received a ruling from the Internal Revenue
71 Service classifying [it] such nonprofit organization as an exempt
72 organization under Section 501(c)(3) of the Internal Revenue Code of
73 1986, or any subsequent corresponding internal revenue code of the
74 United States, as amended from time to time.

75 [(8)] (9) "Club" has the same meaning as provided in section 30-22aa.

76 [(9)] (10) "Coliseum" [means a coliseum, as defined] has the same
77 meaning as provided in section 30-33a.

78 [(10)] (11) "Commission" means the Liquor Control Commission
79 established under this chapter.

80 [(11)] (12) "Department" means the Department of Consumer
81 Protection.

82 (13) "Dining room" means any room or rooms (A) located in premises
83 operating under (i) a hotel permit issued under section 30-21, (ii) a
84 restaurant permit issued under subsection (a) of section 30-22, (iii) a
85 restaurant permit for wine and beer issued under subsection (b) of
86 section 30-22, or (iv) a cafe permit issued under section 30-22a, as
87 amended by this act, and (B) where meals are customarily served to any
88 member of the public who has means of payment and a proper
89 demeanor.

90 [(12)] (14) "Mead" means fermented honey [,] (A) with or without
91 additions or adjunct ingredients, [or additions,] and (B) regardless of (i)
92 alcohol content, [regardless of process, and regardless of being
93 sparkling, carbonated] (ii) process, and (iii) whether such honey is
94 carbonated, sparkling or still.

95 [(13)] (15) "Minor" means any person [under] who is younger than
96 twenty-one years of age.

97 (16) "Nonprofit club" has the same meaning as provided in section
98 30-22aa.

99 (17) "Nonprofit public television corporation" has the same meaning
100 as provided in section 30-37d.

101 [(14)] (18) (A) "Person" means [natural person, including partners but
102 shall not include corporations, limited liability companies, joint stock
103 companies or other associations of natural persons] an individual,
104 including, but not limited to, a partner.

105 (B) "Person" does not include a corporation, joint stock company,
106 limited liability company or other association of individuals.

107 [(15)] (19) (A) "Proprietor" includes all owners of [businesses or clubs,
108 included in subdivision (4) of this section] a business or club,
109 incorporated or unincorporated, that is engaged in manufacturing or
110 selling alcoholic liquor, whether such owners are [individuals, partners,
111 joint stock companies, fiduciaries] persons, fiduciaries, joint stock
112 companies, stockholders of corporations or otherwise. [, but]

113 (B) "Proprietor" does not include [persons or corporations who are
114 merely creditors of such businesses or clubs, whether as note holders,
115 bond holders, landlords or franchisors] any person who, or corporation
116 that, is merely a creditor, whether as a bond holder, franchisor, landlord
117 or note holder, of a business or club, incorporated or unincorporated,
118 that is engaged in manufacturing or selling alcoholic liquor.

119 [(16)] "Dining room" means a room or rooms in premises operating
120 under a hotel permit, hotel beer permit, restaurant permit, restaurant
121 permit for beer or wine or cafe permit, where meals are customarily
122 served, within the room or rooms, to any member of the public who has
123 means of payment and proper demeanor.]

124 [(17)] (20) "Restaurant" [means a restaurant, as defined] has the same
125 meaning as provided in section 30-22, as amended by this act.

126 [(18)] (21) "Spirits" means any beverage that contains alcohol
127 obtained by distillation mixed with drinkable water and other
128 substances in solution, including brandy, rum, whiskey and gin.

129 [(19)] (22) "Wine" means any alcoholic beverage obtained by [the
130 fermentation of] fermenting the natural sugar content of fruits, such as
131 apples, grapes [or apples] or other agricultural products, containing
132 such sugar, including fortified wines such as port, sherry and
133 champagne.

134 [(20)] "Nonprofit public television corporation" means a nonprofit

135 public television corporation, as defined in section 30-37d.

136 (21) "Nonprofit club" has the same meaning as provided in section
137 30-22aa.]

138 Sec. 2. (NEW) (*Effective from passage*) (a) For the purposes of this
139 section:

140 (1) "Religious organization" means (A) any religious corporation,
141 society or organization that is formed or recognized under chapter 598
142 of the general statutes, or (B) any religious organization that is eligible
143 for an exemption under section 12-412 of the general statutes; and

144 (2) "Sacramental wine" means any wine that is (A) exclusively used
145 for religious or sacramental purposes, and (B) exempt from taxation
146 under regulations adopted by the Commissioner of Revenue Services
147 pursuant to section 12-449 of the general statutes.

148 (b) A religious wine retailer permit shall allow the holder of such
149 permit to import and sell, at retail, sacramental wine to religious
150 organizations. Such sacramental wine shall not be consumed on the
151 permit premises and any sale of such sacramental wine shall only take
152 place during the hours a religious wine retailer may sell alcoholic liquor
153 under subsection (d) of section 30-91 of the general statutes, as amended
154 by this act. The holder of a religious wine retailer permit issued under
155 this section shall operate at least one retail location in this state, be
156 primarily engaged in the business of selling religious supplies that do
157 not contain alcohol and not hold any other permit issued under chapter
158 545 of the general statutes. The annual fee for a religious wine retailer
159 permit issued under this section shall be two hundred fifty dollars.

160 (c) The holder of a religious wine retailer permit issued under this
161 section may purchase sacramental wine directly from a manufacturer,
162 out-of-state shipper or wholesaler. All shipments of sacramental wine
163 to the holder of a religious wine retailer permit issued under this section
164 shall be conspicuously labeled "for sacramental or religious purposes
165 only". If the holder of a religious wine retailer permit issued under this

166 section imports into this state a supply of any brand of sacramental wine
167 directly from a manufacturer or out-of-state shipper, such brand need
168 not comply with the provisions of sections 30-63 and 30-64 of the general
169 statutes for such directly imported supply.

170 Sec. 3. Subsections (a) to (c), inclusive, of section 30-19f of the 2022
171 supplement to the general statutes are repealed and the following is
172 substituted in lieu thereof (*Effective from passage*):

173 (a) An in-state transporter's permit for alcoholic liquor shall allow the
174 commercial transportation of any alcoholic liquor and, with the
175 approval of the [department, the sale or provision] Department of
176 Consumer Protection, the provision or sale of alcoholic liquor for
177 consumption in a boat engaged in the transportation of passengers for
178 hire [and in] or a motor vehicle in livery service, as permitted by law.
179 One permit shall cover all such boats [and] or vehicles that are under
180 common control, direction, management or ownership. When applying
181 for such approval, the owner of any such boat [and] or vehicle in which
182 the sale or consumption of alcoholic liquor will be available shall
183 specifically identify to the department each such boat [and] or vehicle.
184 [to the department.] The annual fee for an in-state transporter's liquor
185 permit shall be one thousand two hundred fifty dollars for the first boat
186 or vehicle and [there shall be] an additional annual fee of two hundred
187 dollars for each additional boat or vehicle.

188 (b) No person, corporation, [trust, partnership, incorporated or
189 unincorporated association, and any] incorporated or unincorporated
190 association, partnership, trust or other legal entity except [: (1) The] the
191 holder of an out-of-state shipper's permit issued [pursuant to] under
192 section 30-18 or 30-19, [; (2) the holder of] a manufacturer's permit issued
193 [pursuant to] under section 30-16, other than [the holder of] a
194 manufacturer permit for a farm winery or a manufacturer permit for
195 wine, cider and mead, [; and (3) the holder of] or a wholesaler's permit
196 issued [pursuant to] under section 30-17, shall transport any alcoholic
197 beverages imported into this state unless such person: [holds] (1) Holds
198 an in-state transporter's permit; [and] (2) the tax imposed on such

199 alcoholic liquor [by] under section 12-435 has been paid; and [,] (3) if
200 applicable, the tax imposed on the sale of such alcoholic liquor
201 [pursuant to] under chapter 219 has been paid.

202 (c) An in-state transporter, when [shipping or] delivering or shipping
203 directly to a consumer in this state wine, cider or mead, [directly to a
204 consumer in this state,] shall: (1) Ensure that the shipping labels on all
205 containers of such products shipped directly to a consumer in this state
206 conspicuously state the following: "CONTAINS ALCOHOL –
207 SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR
208 DELIVERY"; (2) obtain the signature of a person [age twenty-one or
209 older] who is at least twenty-one years of age at the address prior to
210 delivery, after requiring the signer to demonstrate that [he or she is age
211 twenty-one or older] the signer is at least twenty-one years of age by
212 providing a valid motor vehicle operator's license or a valid identity
213 card described in section 1-1h; and (3) not ship to any address in the
214 state where the sale of alcoholic liquor is prohibited by local option
215 pursuant to section 30-9.

216 Sec. 4. Section 30-20 of the 2022 supplement to the general statutes is
217 repealed and the following is substituted in lieu thereof (*Effective from*
218 *passage*):

219 (a) For the purposes of this section, "grocery store" (1) means any
220 store that (A) is commonly known as a delicatessen, food store, grocery
221 store or supermarket, and (B) is primarily engaged in the retail sale of
222 various canned goods and dry goods such as coffee, flour, spices, sugar
223 and tea, whether packaged or in bulk, regardless of whether such store
224 sells fresh fruits and vegetables or fresh, prepared or smoked fish, meat
225 and poultry, and (2) does not include any store that is primarily engaged
226 in the retail sale of bakery products, candy, nuts and confectioneries,
227 dairy products, eggs and poultry, fruits and vegetables or seafood.

228 [(a)] (b) (1) A package store permit shall allow the retail sale of
229 alcoholic liquor in sealed bottles or containers not to be consumed on
230 the permit premises. [,] such sales to be made only in sealed bottles or

231 other containers.] The holder of a package store permit may, in
232 accordance with regulations adopted by the Department of Consumer
233 Protection pursuant to the provisions of chapter 54, (A) offer free
234 samples of alcoholic liquor for tasting on the permit premises, (B)
235 conduct fee-based wine education and tasting classes and
236 demonstrations, and (C) conduct tastings or demonstrations provided
237 by a permittee or backer of [a] the package store for a nominal charge to
238 charitable nonprofit organizations. Any offering, tasting, wine
239 education and tasting class or demonstration held on permit premises
240 shall be conducted only during the hours [a] the package store [is
241 permitted to] may sell alcoholic liquor under section 30-91, as amended
242 by this act. No tasting of wine on the permit premises shall be offered
243 from more than ten uncorked bottles at any one time.

244 (2) No store operating under a package store permit shall sell any
245 commodity other than alcoholic liquor except, [that,] notwithstanding
246 any other provision of law, such store may sell [(1)] (A) cigarettes and
247 cigars, [(2)] (B) publications, [(3)] (C) bar utensils, [which shall include,
248 but need not be] including, but not limited to, corkscrews, beverage
249 strainers, stirrers or other similar items used to consume, or related to
250 the consumption of, alcoholic liquor, [(4)] (D) gift packages of alcoholic
251 liquor shipped into the state by a manufacturer or out-of-state shipper,
252 which gift packages may include [a] nonalcoholic [item in the gift
253 package that may be any item, except food or tobacco products,
254 provided the] items, other than food or tobacco products, if the dollar
255 value of the nonalcoholic items in such gift package does not exceed the
256 dollar value of the alcoholic items [of the] in such gift package, [(5)] (E)
257 complementary fresh fruits used in the preparation of mixed alcoholic
258 beverages, [(6)] (F) cheese, [or] crackers [,] or both, [(7)] (G) olives, [(8)]
259 (H) nonalcoholic beverages, [(9)] (I) concentrates used in the preparation
260 of mixed alcoholic beverages, [(10)] (J) beer and wine-making kits and
261 products related to [beer and wine-making] such kits, [(11)] (K) ice in
262 any form, [(12)] (L) articles of clothing imprinted with advertising
263 related to the alcoholic liquor industry, [(13)] (M) gift baskets or other
264 containers of alcoholic liquor, [(14)] (N) multiple packages of alcoholic

265 liquors, [as defined in subdivision (3) of section 30-1,] provided in all
266 such cases the minimum retail selling price for such alcoholic liquor
267 shall apply, [(15)] (Q) lottery tickets authorized by the Department of
268 Consumer Protection, if licensed as an agent to sell such tickets by [said]
269 the department, [(16)] (P) devices and related accessories designed
270 primarily for accessing and extracting a beverage containing alcohol
271 from prepackaged containers, including, but not limited to, pods,
272 pouches or similar containers, but excluding devices, including, but not
273 limited to, household blenders, that are not designed primarily for such
274 purposes, [including, but not limited to, household blenders, (17)] (Q)
275 alcohol-infused confections containing not more than one-half of one
276 per cent of alcohol by weight and which the commissioner has approved
277 for sale [by the commissioner] under section 21a-101, and [(18)] (R) gift
278 baskets containing only containers of alcoholic liquor and commodities
279 authorized for sale under [subdivisions (1) to (17), inclusive, of this
280 subsection] subparagraphs (A) to (Q), inclusive, of this subdivision. A
281 package store permit shall also allow the taking and transmitting of
282 orders for delivery of such merchandise in other states.
283 Notwithstanding any other provision of law, a package store permit
284 shall allow the participation in any lottery ticket promotion or giveaway
285 sponsored by the [Department of Consumer Protection] department.
286 The annual fee for a package store permit shall be five hundred thirty-
287 five dollars.

288 [(b)] (c) A grocery store beer permit may be granted to any grocery
289 store and shall allow the retail sale of beer in standard size containers
290 not to be consumed on the permit premises. [A] The holder of a grocery
291 store beer permit shall post, in a prominent location adjacent to the beer
292 display, the retail price for each brand of beer and [said] such retail price
293 shall include all applicable federal and state taxes, including, but not
294 limited to, the applicable state sales taxes. The annual fee for a grocery
295 store beer permit shall be one hundred seventy dollars, [For a] or, for a
296 grocery store that has annual sales of food and grocery items of [not less
297 than] at least two million dollars, [the annual fee for a grocery store beer
298 permit shall be] one thousand five hundred dollars.

299 [(c) "Grocery store" means any store commonly known as a
300 supermarket, food store, grocery store or delicatessen, primarily
301 engaged in the retail sale of all sorts of canned goods and dry goods
302 such as tea, coffee, spices, sugar and flour, either packaged or in bulk,
303 with or without fresh fruits and vegetables, and with or without fresh,
304 smoked and prepared meats, fish and poultry, except that no store
305 primarily engaged in the retail sale of seafood, fruits and vegetables,
306 candy, nuts and confectioneries, dairy products, bakery products or
307 eggs and poultry shall be included in the definition of "grocery store".]

308 (d) The holder of a package store permit or a grocery store beer
309 permit issued under this section may allow curbside pick-up of
310 previously purchased alcoholic liquor by (1) the consumer who
311 purchased such alcoholic liquor, or (2) the holder of an in-state
312 transporter's permit issued under section 30-19f, as amended by this act,
313 or such holder's agent. Such curbside pick-up shall be limited to the
314 space immediately adjacent to, or in a parking lot abutting, the permit
315 premises. The holder of such package store permit or grocery store beer
316 permit may allow such curbside pick-up only during the hours the
317 package store or grocery store is allowed to sell alcoholic liquor under
318 subsection (d) of section 30-91, as amended by this act, unless a more
319 restrictive municipal ordinance limits such curbside pick-up hours.

320 Sec. 5. Section 30-46 of the 2022 supplement to the general statutes is
321 repealed and the following is substituted in lieu thereof (*Effective from*
322 *passage*):

323 (a) The Department of Consumer Protection may, except as to a store
324 engaged chiefly in the sale of groceries, in its discretion, suspend, revoke
325 or refuse to grant or renew a permit for the sale of alcoholic liquor if [it]
326 the department has reasonable cause to believe [:] that (1) [That] the
327 proximity of the permit premises [will have a detrimental effect upon
328 any church] to any charitable institution supported by private or public
329 funds, church, convent, hospital, public or parochial school, [convent,
330 charitable institution, whether supported by private or public funds,
331 hospital] or veterans' home, or any [camp,] barracks, camp or flying

332 field of the armed forces, [; (2) that such location] will detrimentally
333 impact such institution, church, convent, hospital, school, home,
334 barracks, camp or field, (2) the permit premises is in such proximity to
335 a no-permit town so that it is apparent that the applicant is seeking to
336 obtain the patronage of [such] persons in such town, [;] (3) [that] the
337 number of permit premises in the locality is such that [the] granting [of]
338 a permit is detrimental to the public interest, and, in reaching a
339 conclusion in this respect, the department may consider the character
340 [of, the] and population of, and the number of like permits and [number
341 of] all permits existent in, the particular town and the immediate
342 neighborhood concerned [,] and the effect which a new permit may have
343 on such town or neighborhood or on like permits existent in such town
344 or neighborhood, [;] (4) [that] the place has been conducted as a lewd or
345 disorderly establishment, [;] (5) [that] the backer does not have a right
346 to occupy the permit premises, [;] (6) [that] drive-up sales of alcoholic
347 liquor, other than curbside pick-up allowed under subsection (d) of
348 section 30-20, as amended by this act, are being made at the permit
349 premises, [;] or (7) [that] there is any other reason as provided by state
350 or federal law or regulation which warrants such refusal.

351 (b) (1) The existence of a coliseum permit issued under section 30-33a
352 shall not be a factor to be taken into consideration under subdivision (3)
353 of subsection (a) of this section.

354 (2) The provisions of subdivisions (1), (2) and (3) of subsection (a) of
355 this section shall not apply to [the granting] issuance of a coliseum
356 permit under section 30-33a.

357 Sec. 6. Section 30-51a of the general statutes is repealed and the
358 following is substituted in lieu thereof (*Effective from passage*):

359 Notwithstanding the provisions of subdivision (6) of section 30-47
360 and section 30-51, a permittee of premises operating under a grocery
361 store beer permit issued under subsection (c) of section 30-20, as
362 amended by this act, may lease up to fifty per cent of the total square
363 footage of the premises to any person for lawful purposes. The

364 Department of Consumer Protection shall not issue a permit allowing
365 the sale or consumption of alcoholic liquor on any such leased premises,
366 and the sale or consumption of alcoholic liquor [, as defined in
367 subdivision (3) of section 30-1,] shall be unlawful on any such leased
368 premises.

369 Sec. 7. Subsection (c) of section 30-74 of the general statutes is
370 repealed and the following is substituted in lieu thereof (*Effective from*
371 *passage*):

372 (c) No permittee or backer who is authorized under this chapter to
373 sell alcoholic liquor at retail for consumption off the permit premises,
374 and no agent or employee of such permittee or backer, may sell or
375 deliver such alcoholic liquor from a drive-up window or similar exterior
376 wall opening except as part of a curbside pick-up authorized under
377 subsection (d) of section 30-20, as amended by this act.

378 Sec. 8. Section 30-22a of the 2022 supplement to the general statutes
379 is repealed and the following is substituted in lieu thereof (*Effective from*
380 *passage*):

381 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be
382 consumed on the premises of a cafe. The holder of a cafe permit shall
383 keep food available for sale to its customers for consumption on the
384 premises during [a] the majority of the hours such premises are open.
385 The availability of food from outside vendors located on or near the
386 premises, who may directly deliver such food or indirectly deliver such
387 food through a third party, shall be deemed compliance with such
388 requirement. The licensed premises shall at all times comply with all the
389 regulations of the local department of health. Nothing herein shall be
390 construed to require that any food be sold or purchased with any
391 alcoholic liquor, nor shall any rule, regulation or standard be
392 promulgated or enforced [requiring that the sale] to require that sales of
393 food be substantial or that the [receipts of the business other than from
394 the sale of] business's receipts from sales of alcoholic liquor equal any
395 set percentage of total receipts from all sales made [therein] on the

396 licensed premises. A cafe permit shall allow, with the prior approval of
397 the Department of Consumer Protection, alcoholic liquor to be served at
398 tables in outside areas that are screened or not screened from public
399 view where permitted by fire, zoning and health regulations. If not
400 required by fire, zoning or health regulations, a fence or wall enclosing
401 such outside areas shall not be required by the Department of Consumer
402 Protection. No fence or wall used to enclose such outside areas shall be
403 less than thirty inches high. Such permit shall also authorize the sale at
404 retail from the premises of sealed containers, supplied by the permittee,
405 of draught beer for consumption off the premises. Such sales shall be
406 conducted only during the hours a package store is permitted to sell
407 alcoholic liquor under the provisions of subsection (d) of section 30-91,
408 as amended by this act. Not more than four liters of such beer shall be
409 sold to any person on any day on which the sale of alcoholic liquor is
410 authorized under the provisions of subsection (d) of section 30-91, as
411 amended by this act. The annual fee for a cafe permit shall be two
412 thousand dollars, except the annual fee for a cafe permit for a prior
413 holder of a tavern permit issued [pursuant to] under section 30-26 shall
414 be eight hundred dollars for the first year, twelve hundred dollars for
415 the second year, one thousand six hundred dollars for the third year and
416 two thousand dollars for each year thereafter.

417 (b) (1) A cafe patron may remove one unsealed bottle of wine for off-
418 premises consumption, provided the patron has purchased a full course
419 meal and consumed a portion of the wine with such meal on the cafe
420 premises. For purposes of this section, "full course meal" means a
421 diversified selection of food which (A) ordinarily cannot be consumed
422 without the use of tableware, and [which] (B) cannot be conveniently
423 consumed while standing or walking.

424 (2) A partially consumed bottle of wine that is to be removed from
425 the premises [pursuant to] under this subsection shall be securely sealed
426 and placed in a bag by the permittee or the permittee's agent or
427 employee prior to removal from the premises.

428 (c) As used in this section, "cafe" means space in a suitable and

429 permanent building, vessel or structure, kept, used, maintained,
430 advertised and held out to the public to be a place where alcoholic liquor
431 and food is served for sale at retail for consumption on the premises but
432 which does not necessarily serve hot meals; it shall have no sleeping
433 accommodations for the public and need not necessarily have a kitchen
434 or dining room but shall have employed therein at all times an adequate
435 number of employees.

436 (d) For purposes of compliance with this section, "cafe" [shall include]
437 includes any location in [the Bradley International Airport] a passenger
438 terminal complex of any airport, as defined in section 15-34, or any
439 location adjacent to and attached by common partition to [said] such
440 complex, which is open to the public [and] or to airline club members or
441 their guests, with or without the sale of food, for consumption on the
442 premises.

443 (e) For purposes of compliance with this section, "cafe" [shall include]
444 includes all of the land and buildings in which the principal business
445 conducted is racing or jai alai exhibitions, with pari-mutuel betting
446 licensed by the Department of Consumer Protection.

447 (f) For purposes of compliance with this section, "cafe" [shall include]
448 includes any commercial bowling establishment containing ten or more
449 lanes, or any commercial racquetball or tennis facility containing five or
450 more courts, with or without food, for consumption on the premises.

451 (g) For purposes of compliance with this section, "cafe" [shall include]
452 includes the premises and grounds of a golf country club, defined as: (1)
453 [an] An association of persons, whether incorporated or
454 unincorporated, that has been in existence as a bona fide organization
455 for at least one year prior to applying for a permit issued as provided by
456 this chapter, or that at the time of applying for the permit is in existence
457 as a bona fide organization and has not less than twenty members who
458 have paid annual membership fees or dues and have signed affidavits
459 of their intention to remain members of the association for not less than
460 one year after that time, not including associations organized for any

461 commercial or business purpose the object of which is money profit,
462 which maintains a golf course of not less than eighteen holes and a
463 course length of at least fifty-five hundred yards and a club house with
464 facilities that include locker rooms, a dining room and a lounge;
465 provided the club shall file with the department, upon request, within
466 ten days of February first in each year, a list of the names and residences
467 of its members, and shall similarly file, within ten days of the election of
468 any additional member, his name and address, and provided its
469 aggregate annual membership fees or dues and other income, exclusive
470 of any proceeds of the sale of alcoholic liquor, shall be sufficient to
471 defray the annual rental of its leased or rented premises, or, if the
472 premises are owned by the club, shall be sufficient to meet the taxes,
473 insurance and repairs and the interest on any mortgage thereof; and
474 provided, further, its affairs and management shall be conducted by a
475 board of directors, executive committee or similar body chosen by the
476 members at their annual meeting, and no member or any officer, agent
477 or employee of the club shall be paid or, directly or indirectly, shall
478 receive in the form of salary or other compensation any profits from the
479 disposition or sale of alcoholic liquor to the club or to the members of
480 the club or its guests introduced by members, beyond the amount of
481 such salary as may be fixed and voted at annual meetings by the
482 members or by its directors or other governing body and as reported by
483 the club to the department, within three months after the annual
484 meeting, and as is, in the judgment of the department, reasonable and
485 proper compensation for the services of such member, officer, agent or
486 employee; or (2) an association of persons, whether incorporated or
487 unincorporated, which has been in existence as a bona fide organization
488 for at least one year prior to applying for a permit issued as provided by
489 this chapter, or which at the time of applying for the permit is in
490 existence as a bona fide organization and has not less than twenty
491 members who have paid annual membership fees or dues and is directly
492 or indirectly wholly owned by a corporation which is and continues to
493 be nonprofit and to which the Internal Revenue Service has issued a
494 ruling classifying it as an exempt organization under Section 501(c) of
495 the Internal Revenue Code of 1986, or any subsequent corresponding

496 internal revenue code of the United States, as amended from time to
497 time, which maintains a golf course of not less than eighteen holes and
498 a course length of at least fifty-five hundred yards and a club house with
499 facilities which include locker rooms, a dining room and a lounge;
500 provided the club shall file with the department, upon request, within
501 ten days of February first in each year, a list of the names and residences
502 of its members, and shall similarly file, within ten days of the admission
503 of any additional member, his name and address. The nonprofit
504 corporation shall demonstrate to the commission an ability to pay any
505 operating deficit of the golf country club, exclusive of any proceeds of
506 the sale of alcoholic liquor; and provided, further, the affairs and the
507 management of the nonprofit corporation are conducted by a board of
508 directors, executive committee or similar body at least forty per cent of
509 the members of which are chosen by the members of the nonprofit
510 corporation at their annual meeting and the balance of the members of
511 the board of directors are professionals chosen for their knowledge of
512 the business of the nonprofit corporation, and all moneys earned by the
513 golf country club shall be used to defray its expenses of operation or for
514 charitable purposes, and any balance shall be directly or indirectly
515 remitted to the nonprofit corporation.

516 [(h) For purposes of compliance with this section, "cafe" shall include
517 the sale and public consumption of alcoholic liquor by passengers with
518 or without meals upon any one designated boat engaged in the
519 transportation of passengers for hire to or from any port in this state.]

520 [(i)] (h) For purposes of compliance with this section, "cafe" [shall
521 include] includes any corporation that operates a railway in this state or
522 that operates club, parlor, dining, buffet or lounge cars upon the lines of
523 any such railway in this state. It shall allow the sale and public
524 consumption of alcoholic liquor in any club, parlor, dining, buffet or
525 lounge car of a passenger train operated in this state. It shall be subject
526 to all the privileges, obligations and penalties provided for in this
527 chapter except that it shall be issued to a corporation instead of to a
528 person and, if it is revoked, another application may be made by the
529 corporation for the issuance of another railroad permit at any time after

530 the expiration of one year after such revocation.

531 [(j)] (i) For purposes of compliance with this section, "cafe" [shall
532 include] includes a facility designed, constructed and used for corporate
533 and private parties, sporting events, concerts, exhibitions, trade shows,
534 entertainment presentations, conventions, banquets, meetings, dances,
535 fund-raising events and similar functions, located on a tract of land of
536 not less than twenty acres containing an enclosed roofed pavilion
537 constructed to seat not less than two hundred fifty people, where hot
538 meals are regularly served in an adequate and sanitary dining area, such
539 meals having been prepared in an adequate and sanitary kitchen on the
540 premises, and employing an adequate number of employees who shall
541 serve only persons who are at such outing facility to attend an event,
542 function, private party or banquet.

543 [(k)] (j) For purposes of compliance with this section, "cafe" includes:
544 (1) A room or building that is subject to the care, custody and control of
545 The University of Connecticut Board of Trustees; (2) land and buildings
546 which are subject to the care, custody and control of an institution
547 offering a program of higher learning, as defined in section 10a-34,
548 which has been accredited by the Board of Regents for Higher Education
549 or Office of Higher Education or otherwise is authorized to award a
550 degree pursuant to section 10a-34; or (3) on land or in a building situated
551 on or abutting a golf course which is subject to the care, custody and
552 control of an institution offering a program of higher learning, as
553 defined in section 10a-34, which has been accredited by the Board of
554 Regents for Higher Education or Office of Higher Education or
555 otherwise is authorized to award a degree pursuant to section 10a-34.

556 Sec. 9. Section 30-12 of the 2022 supplement to the general statutes is
557 repealed and the following is substituted in lieu thereof (*Effective from*
558 *passage*):

559 When any town has so voted upon the question of liquor permits, any
560 liquor permit granted in such town which is not in accordance with such
561 vote shall be void except manufacturer permits and cafe permits issued

562 [pursuant to] under subsections (g) and [(k)] (h) of section 30-22a, as
563 amended by this act.

564 Sec. 10. Subsection (a) of section 30-14 of the 2022 supplement to the
565 general statutes is repealed and the following is substituted in lieu
566 thereof (*Effective from passage*):

567 (a) [A] Each permit shall be a purely personal privilege that [expires
568 annually, except a permit issued under sections 30-25, 30-35, 30-37b, 30-
569 37d, 30-37g and 30-37h, and] is revocable in the discretion of the
570 Department of Consumer Protection, and subject to appeal, as provided
571 in section 30-55. [A] Except as otherwise provided in the general
572 statutes, including, but not limited to, sections 30-25, as amended by this
573 act, 30-35, 30-37b, 30-37d, 30-37g and 30-37h, each permit shall expire
574 annually. No permit shall [not] constitute property, [nor shall it] be
575 subject to attachment and execution [, nor shall it] or be alienable, except
576 [that it] a permit shall descend to the estate of a deceased permittee by
577 the laws of testate or intestate succession. An airline permit issued under
578 section 30-28a or a cafe permit issued [pursuant to] under subsection
579 [(k)] (h) of section 30-22a, as amended by this act, shall be granted to the
580 airline corporation or railway corporation and not to any person, and
581 the corporation shall be the permittee.

582 Sec. 11. Section 30-16b of the 2022 supplement to the general statutes
583 is repealed and the following is substituted in lieu thereof (*Effective from*
584 *passage*):

585 (a) [From June 4, 2021, until three years after June 4, 2021] During the
586 period beginning June 4, 2021, and ending June 5, 2024, the holder of a
587 permit issued [pursuant to] under section 30-16, 30-21 or 30-22, as
588 amended by this act, [or] subsection [(a), (g), (h) or (i)] (c) or (g) of section
589 30-22a, as amended by this act, or section 30-22aa may sell for off-
590 premises consumption sealed containers of all [such] alcoholic liquor
591 such permit holder is allowed to sell for on-premises consumption,
592 subject to the requirements of this section and consistent with all local
593 ordinances for the town in which the permit premises are located.

594 (b) Any alcoholic liquor sold for off-premises consumption [pursuant to]
595 to] under this section shall be accompanied by food prepared on the
596 permit premises for off-premises consumption.

597 (c) Alcoholic liquor sold for off-premises consumption [pursuant to]
598 under this section may be sold in a container other than the
599 manufacturer's original sealed container, unless sold by a permittee
600 under section 30-16. All such alcoholic liquor [sold for off-premises
601 consumption] shall be given to a consumer in a securely sealed
602 container that prevents consumption without the removal of a tamper-
603 evident lid, cap or seal. A securely sealed container does not include a
604 container with a lid with sipping holes or openings for straws. Each
605 securely sealed container shall be placed in a bag by the permittee's
606 agent or employee prior to removal from the permit premises.

607 (d) If a permittee is delivering alcoholic liquor and food, such
608 delivery shall be made only by a direct employee of the permittee and
609 not by a third-party vendor or entity, unless such third-party vendor or
610 entity holds an in-state transporter's permit issued under section 30-19f,
611 as amended by this act.

612 (e) The sale of alcoholic liquor for off-premises consumption
613 [pursuant to] under this section shall: (1) [~~be~~] Be conducted only during
614 the hours a package store is permitted to sell alcoholic liquor under the
615 provisions of subsection (d) of section 30-91, as amended by this act; and
616 (2) if such alcoholic liquor is sold by a permittee under section 30-21 or
617 30-22, as amended by this act, subsection (c) or (g) of section 30-22a, as
618 amended by this act, or section 30-22aa, comply with all applicable
619 requirements of said sections and the limits imposed under subsection
620 (g) of this section.

621 (f) A sealed container of alcoholic liquor sold [pursuant to] under this
622 section shall not be deemed an open container, provided the sealed
623 container is unopened, the seal has not been tampered with [,] and the
624 contents of the sealed container have not been partially removed.

625 (g) The sale of alcoholic liquor for off-premises consumption

626 [pursuant to] under this section by a permittee under section 30-21 or
627 30-22, as amended by this act, subsection (c) or (g) of section 30-22a, as
628 amended by this act, or section 30-22aa shall comply with the following
629 limits for any one order, per customer: (1) One hundred ninety-six
630 ounces [,] for beer; [,] (2) one liter [,] for spirits; [,] and (3) one and one-
631 half liters [,] for wine.

632 (h) The provisions of this section shall not apply to the retail sale of
633 any alcoholic liquor manufactured by a manufacturer permittee under
634 section 30-16 on [its] the manufacturer's permit premises for off-
635 premises consumption, which shall be subject to the requirements of
636 [said] section 30-16, including, but not limited to, the volume limits and
637 hours of sale set forth in [said] section 30-16.

638 Sec. 12. Subsection (b) of section 30-22c of the 2022 supplement to the
639 general statutes is repealed and the following is substituted in lieu
640 thereof (*Effective from passage*):

641 (b) The holder of a cafe permit issued [pursuant to] under subsection
642 [(a)] (c) of section 30-22a, as amended by this act, may operate a juice bar
643 or similar facility at a permit premises if the juice bar or similar facility
644 is limited to a room or rooms or separate area within the permit
645 premises wherein there is no sale, consumption, dispensing or presence
646 of alcoholic liquor.

647 Sec. 13. Section 30-23a of the 2022 supplement to the general statutes
648 is repealed and the following is substituted in lieu thereof (*Effective from*
649 *passage*):

650 No person shall be construed to be a guest of a member of a club
651 [within the intent] for the purposes of section 30-22aa or of a golf
652 country club [within the intent of section 30-24a] for the purposes of
653 subsection (g) of section 30-22a, as amended by this act, until such
654 person's name and address has been entered in the guest book
655 maintained for such purposes on the club or golf country club premises,
656 together with the signature of the member and the date of introduction,
657 provided neither the permittee nor any person employed to dispense

658 alcoholic beverages on such premises, during his working hours on such
659 premises, shall enter such person's name in such book. The
660 [requirement] provisions of this section; (1) [shall] Shall not apply to a
661 member of any nationally chartered veterans' service organization when
662 such member enters a club run by such organization that is not such
663 member's home club, but is affiliated with the same organization,
664 provided such member shall show a membership, travel card or similar
665 identification as a member of such organization upon entry to such club;
666 [] and (2) may be waived by the Department of Consumer Protection
667 on special occasions upon written application.

668 Sec. 14. Section 30-24 of the 2022 supplement to the general statutes
669 is repealed and the following is substituted in lieu thereof (*Effective from*
670 *passage*):

671 Spouses of members of any club or golf country club which holds a
672 permit under subsection (g) [or (h)] of section 30-22a, as amended by
673 this act, or section 30-22aa may be allowed to participate in all of the
674 privileges of such club or golf country club, by vote of such club's
675 members, and shall not be considered guests for the purposes of the
676 general statutes or provisions of the regulations of Connecticut state
677 agencies adopted by the Department of Consumer Protection.

678 Sec. 15. Section 30-24b of the 2022 supplement to the general statutes
679 is repealed and the following is substituted in lieu thereof (*Effective from*
680 *passage*):

681 Auxiliary members who are spouses of members or surviving
682 spouses of former deceased members of any club specified in
683 [subsections (g) to (i), inclusive,] subsection (g) of section 30-22a, as
684 amended by this act, or section 30-22aa which holds a permit under the
685 provisions of this chapter may be allowed to participate in all the
686 privileges of such club, by vote of such [club] club's members, and shall
687 not be considered guests for purposes of the general statutes or
688 provisions of the regulations of Connecticut state agencies adopted by
689 the Department of Consumer Protection.

690 Sec. 16. Subsection (a) of section 30-25 of the 2022 supplement to the
691 general statutes is repealed and the following is substituted in lieu
692 thereof (*Effective from passage*):

693 (a) A special club permit shall allow the sale of alcoholic liquor by the
694 drink, at retail, to be consumed at the grounds of an outdoor picnic
695 conducted by a club or golf country club. Such permits shall be issued
696 only to holders of cafe permits issued [pursuant to subsections (g) to (i),
697 inclusive,] under subsection (g) of section 30-22a, [and] as amended by
698 this act, and club permits issued under section 30-22aa, shall be issued
699 on a daily basis subject to the hours of sale in section 30-91, as amended
700 by this act, and shall be the same as provided therein for clubs and golf
701 country clubs. The exception established in subsection (a) of section 30-
702 48, as amended by this act, that applies to boats operating under an in-
703 state transporter's permit issued under section 30-19f, as amended by
704 this act, and cafe permits issued [pursuant to subsections (j) and (k)]
705 under subsection (h) of section 30-22a, as amended by this act, [that is
706 set forth in section 30-48] shall apply to such a special club permit. No
707 such club or golf country club shall be granted more than four such
708 special club permits during any one calendar year.

709 Sec. 17. Subsection (b) of section 30-39 of the 2022 supplement to the
710 general statutes is repealed and the following is substituted in lieu
711 thereof (*Effective from passage*):

712 (b) (1) Any person desiring a liquor permit or a renewal of such a
713 permit shall make an affirmed application therefor to the Department of
714 Consumer Protection, upon forms to be furnished by the department,
715 showing the name and address of the applicant and of the applicant's
716 backer, if any, the location of the club or place of business which is to be
717 operated under such permit and a financial statement setting forth all
718 elements and details of any business transactions connected with the
719 application. Such application shall include a detailed description of the
720 type of live entertainment that is to be provided. A club or place of
721 business shall be exempt from providing such detailed description if the
722 club or place of business (A) was issued a liquor permit prior to October

723 1, 1993, and (B) has not altered the type of entertainment provided. The
724 application shall also indicate any crimes of which the applicant or the
725 applicant's backer may have been convicted. Applicants shall submit
726 documents sufficient to establish that state and local building, fire and
727 zoning requirements and local ordinances concerning hours and days
728 of sale will be met, except that local building and zoning requirements
729 and local ordinances concerning hours and days of sale shall not apply
730 to a cafe permit issued [pursuant to] under subsection (d) or (h) of
731 section 30-22a, as amended by this act. The State Fire Marshal or the
732 marshal's certified designee shall be responsible for approving
733 compliance with the State Fire Code at Bradley International Airport.
734 Any person desiring a permit provided for in section 30-33b shall file a
735 copy of such person's license with such application if such license was
736 issued by the Department of Consumer Protection. The department
737 may, at its discretion, conduct an investigation to determine whether a
738 permit shall be issued to an applicant.

739 (2) The applicant shall pay to the department a nonrefundable
740 application fee, which fee shall be in addition to the fees prescribed in
741 this chapter for the permit sought. An application fee shall not be
742 charged for an application to renew a permit. The application fee shall
743 be in the amount of ten dollars for the filing of each application for a
744 permit by a charitable organization under section 30-37b, including a
745 nonprofit public television corporation under section 30-37d, a
746 nonprofit golf tournament permit under section 30-37g, a temporary
747 permit under section 30-35 or a special club permit [; and for all other
748 permits] under section 30-25, as amended by this act; and in the amount
749 of one hundred dollars for the filing of an initial application for all other
750 permits. Any permit issued shall be valid only for the purposes and
751 activities described in the application.

752 (3) The applicant, immediately after filing an application, shall give
753 notice thereof, with the name and residence of the permittee, the type of
754 permit applied for and the location of the place of business for which
755 such permit is to be issued and the type of live entertainment to be
756 provided, all in a form prescribed by the department, by publishing the

757 same in a newspaper having a circulation in the town in which the place
758 of business to be operated under such permit is to be located, at least
759 once a week for two successive weeks, the first publication to be not
760 more than seven days after the filing date of the application and the last
761 publication not more than fourteen days after the filing date of the
762 application. The applicant shall affix, and maintain in a legible condition
763 upon the outer door of the building wherein such place of business is to
764 be located and clearly visible from the public highway, the placard
765 provided by the department, not later than the day following the receipt
766 of the placard by the applicant. If such outer door of such premises is so
767 far from the public highway that such placard is not clearly visible as
768 provided, the department shall direct a suitable method to notify the
769 public of such application. When an application is filed for any type of
770 permit for a building that has not been constructed, such applicant shall
771 erect and maintain in a legible condition a sign not less than six feet by
772 four feet upon the site where such place of business is to be located,
773 instead of such placard upon the outer door of the building. The sign
774 shall set forth the type of permit applied for and the name of the
775 proposed permittee, shall be clearly visible from the public highway and
776 shall be so erected not later than the day following the receipt of the
777 placard. Such applicant shall make a return to the department, under
778 oath, of compliance with the foregoing requirements, in such form as
779 the department may determine, but the department may require any
780 additional proof of such compliance. Upon receipt of evidence of such
781 compliance, the department may hold a hearing as to the suitability of
782 the proposed location. The provisions of this subdivision shall not apply
783 to applications for (A) airline permits issued under section 30-28a, (B)
784 charitable organization permits issued under section 30-37b, (C)
785 temporary permits issued under section 30-35, (D) special club permits
786 issued under section 30-25, as amended by this act, (E) concession
787 permits issued under section 30-33, (F) military permits issued under
788 section 30-34, (G) cafe permits issued [pursuant to] under subsection [(j)
789 or (k)] (h) of section 30-22a, as amended by this act, (H) warehouse
790 permits issued under section 30-32, (I) [brokers'] broker's permits issued
791 under section 30-30, (J) out-of-state [shippers'] shipper's permits for

792 alcoholic liquor [and] issued under section 30-18, (K) out-of-state
793 [shippers'] shipper's permits for beer [, (K)] issued under section 30-19,
794 (L) coliseum permits [, (L)] issued under section 30-33a, (M) nonprofit
795 golf tournament permits [, (M)] issued under section 30-37g, (N)
796 nonprofit public television corporation permits [, (N)] issued under
797 section 30-37d, (O) Connecticut craft cafe permits [by] issued under
798 section 30-22d, as amended by this act, to permittees who held a
799 manufacturer permit for a brew pub or a manufacturer permit for a beer
800 and brew pub [prior to] before July 1, 2020, [and (O)] (P) off-site farm
801 winery sales and wine, cider and mead tasting permits issued under
802 section 30-16a, (Q) out-of-state retailer shipper's permits for wine issued
803 under section 30-18a, (R) out-of-state winery shipper's permits for wine
804 issued under section 30-18a, (S) in-state transporter's permits for
805 alcoholic liquor issued under section 30-19f, as amended by this act,
806 including, but not limited to, boats operating under such permits, (T)
807 seasonal outdoor open-air permits issued under section 30-22e, as
808 amended by this act, and (U) renewals of any [such permits] permit
809 described in subparagraphs (A) to (T), inclusive, of this subdivision, if
810 applicable. The provisions of this subdivision regarding publication and
811 placard display shall also be required of any applicant who seeks to
812 amend the type of entertainment either upon filing of a renewal
813 application or upon requesting permission of the department in a form
814 that requires the approval of the municipal zoning official.

815 (4) In any case in which a permit has been issued to a partnership, if
816 one or more of the partners dies or retires, the remaining partner or
817 partners need not file a new application for the unexpired portion of the
818 current permit, and no additional fee for such unexpired portion shall
819 be required. Notice of any such change shall be given to the department
820 and the permit shall be endorsed to show correct ownership. When any
821 partnership changes by reason of the addition of one or more persons, a
822 new application with new fees shall be required.

823 Sec. 18. Section 30-45 of the 2022 supplement to the general statutes
824 is repealed and the following is substituted in lieu thereof (*Effective from*
825 *passage*):

826 The Department of Consumer Protection shall refuse permits for the
827 sale of alcoholic liquor to the following persons: (1) Any state marshal,
828 judicial marshal, judge of any court, prosecuting officer or member of
829 any police force; [(2) a minor, and] (2) any minor; (3) any constable who
830 (A) performs criminal law enforcement duties and is considered a peace
831 officer by town ordinance pursuant to the provisions of subsection (a)
832 of section 54-1f, [any constable who] or (B) is certified under the
833 provisions of sections 7-294a to 7-294e, inclusive, [who] and performs
834 criminal law enforcement duties pursuant to the provisions of
835 subsection (c) of section 54-1f; [or] and (4) any special constable
836 appointed pursuant to section 7-92. This section shall not apply to any
837 out-of-state [shippers' permits, cafe permits issued pursuant to
838 subsection (j) of section 30-22a and airline permits] shipper's permit
839 issued under section 30-18, 30-18a or 30-19, any cafe permit issued under
840 section 30-22a, as amended by this act, any boat operating under any in-
841 state transporter's permit issued under section 30-19f, as amended by
842 this act, or any airline permit issued under section 30-28a. As used in
843 this section, "minor" means a minor, as defined in section 1-1d or as
844 defined in section 30-1, as amended by this act, whichever age is older.

845 Sec. 19. Subsection (a) of section 30-48 of the 2022 supplement to the
846 general statutes is repealed and the following is substituted in lieu
847 thereof (*Effective from passage*):

848 (a) No backer or permittee of one permit class shall be a backer or
849 permittee of any other permit class except in the case of airline permits
850 issued under section 30-28a, boats operating under in-state transporter's
851 permits issued under section 30-19f, as amended by this act, and cafe
852 permits issued [pursuant to subsection (d), (j) or (k)] under subsections
853 (d) and (h) of section 30-22a, as amended by this act, [and] except that:
854 (1) A backer of a hotel permit issued under section 30-21 or a restaurant
855 permit issued under section 30-22, as amended by this act, may be a
856 backer of both such classes; (2) a holder or backer of a restaurant permit
857 issued under section 30-22, as amended by this act, or a cafe permit
858 issued [pursuant to] under subsection (a) of section 30-22a, as amended
859 by this act, may be a holder or backer of any other or all of such classes;

860 (3) a holder or backer of a restaurant permit issued under section 30-22,
861 as amended by this act, may be a holder or backer of a cafe permit issued
862 [pursuant to] under subsection (f) of section 30-22a, as amended by this
863 act; (4) a backer of a restaurant permit issued under section 30-22, as
864 amended by this act, may be a backer of a coliseum permit issued under
865 section 30-33a when such restaurant is within a coliseum; (5) a backer of
866 a hotel permit issued under section 30-21 may be a backer of a coliseum
867 permit issued under section 30-33a; (6) a backer of a grocery store beer
868 permit issued under subsection (c) of section 30-20, as amended by this
869 act, may be (A) a backer of a package store permit issued under
870 subsection (b) of section 30-20, as amended by this act, if such was the
871 case on or before May 1, 1996, and (B) a backer of a restaurant permit
872 issued under section 30-22, as amended by this act, provided the
873 restaurant permit premises do not abut or share the same space as the
874 grocery store beer permit premises; (7) a backer of a cafe permit issued
875 [pursuant to] under subsection [(m)] (j) of section 30-22a, as amended
876 by this act, may be a backer of a nonprofit theater permit issued under
877 section 30-35a; (8) a backer of a nonprofit theater permit issued under
878 section 30-35a may be a holder or backer of a hotel permit issued under
879 section 30-21 or a coliseum permit issued under section 30-33a; (9) a
880 backer of a concession permit issued under section 30-33 may be a
881 backer of a coliseum permit issued under section 30-33a; (10) a holder of
882 an out-of-state winery shipper's permit for wine issued under section
883 30-18a may be a holder of an in-state transporter's permit issued under
884 section 30-19f, as amended by this act, or an out-of-state entity wine
885 festival permit issued [pursuant to] under section 30-37m, or of both
886 such permits; (11) a holder of an out-of-state shipper's permit for
887 alcoholic liquor [other than beer] issued under section 30-18 or an out-
888 of-state winery shipper's permit for wine issued under section 30-18a
889 may be a holder of an in-state transporter's permit issued under section
890 30-19f, as amended by this act; (12) a holder of a manufacturer permit
891 for a farm winery [or the holder of] issued under subsection (c) of section
892 30-16 or a manufacturer permit for wine, cider and mead issued under
893 subsection (d) of section 30-16 may be a holder of an in-state
894 transporter's permit issued under section 30-19f, as amended by this act,

895 a wine festival permit issued [pursuant to] under section 30-37l, a
896 farmers' market sales permit issued [pursuant to] under subsection (a)
897 of section 30-37o, an off-site farm winery sales and tasting permit issued
898 [pursuant to] under section 30-16a or [of] any combination of such
899 permits; (13) a holder of a manufacturer permit for beer issued under
900 subsection (b) of section 30-16 may be a holder of a farmers' market sales
901 permit issued [pursuant to] under subsection (a) of section 30-37o; (14)
902 the holder of a manufacturer permit for spirits, [a manufacturer permit
903 for beer, a manufacturer permit for] beer, a farm winery or [a
904 manufacturer permit for] wine, cider and mead, issued under
905 subsection (a), (b), (c) or (d), respectively, of section 30-16, may be a
906 holder of a Connecticut craft cafe permit issued under section 30-22d, as
907 amended by this act, a restaurant permit or a restaurant permit for wine
908 and beer issued under section 30-22, as amended by this act; and (15)
909 the holder of a restaurant permit [or] issued under section 30-22, as
910 amended by this act, a cafe permit issued under section 30-22a, as
911 amended by this act, or an in-state transporter's permit issued under
912 section 30-19f, as amended by this act, may be the holder of a seasonal
913 outdoor open-air permit issued [pursuant to] under section 30-22e, as
914 amended by this act. Any person may be a permittee of more than one
915 permit. No holder of a manufacturer permit for [a brew pub] beer issued
916 under subsection (b) of section 30-16 and no spouse or child of such
917 holder may be a holder or backer of more than three restaurant permits
918 issued under section 30-22, as amended by this act, or cafe permits
919 issued under section 30-22a, as amended by this act.

920 Sec. 20. Subsection (c) of section 30-48a of the 2022 supplement to the
921 general statutes is repealed and the following is substituted in lieu
922 thereof (*Effective from passage*):

923 (c) Membership in any organization which is or may become the
924 holder of a [cafe] club or nonprofit club permit issued [pursuant to
925 subsection (h) of section 30-22a] under section 30-22aa shall not
926 constitute acquisition of an interest in a retail permit.

927 Sec. 21. Section 30-53 of the 2022 supplement to the general statutes

928 is repealed and the following is substituted in lieu thereof (*Effective from*
929 *passage*):

930 Each permit granted or renewed by the Department of Consumer
931 Protection shall be of no effect until a duplicate thereof has been filed by
932 the permittee with the town clerk of the town within which the club or
933 place of business described in such permit is situated; provided the
934 place of filing [of] for (1) a cafe permit issued [pursuant to] under
935 subsection [(j) or (k)] (h) of section 30-22a, as amended by this act, or a
936 boat operating under an in-state transporter's permit issued under
937 section 30-19f, as amended by this act, shall be the office of the town
938 clerk of the town of New Haven, and (2) an airline [permits,] permit
939 issued under section 30-28a shall be the office of the town clerk of the
940 town of Hartford. The fee for such filing shall be twenty dollars.

941 Sec. 22. Section 30-54 of the 2022 supplement to the general statutes
942 is repealed and the following is substituted in lieu thereof (*Effective from*
943 *passage*):

944 Every permittee, other than a corporation holding a cafe permit
945 issued [pursuant to] under subsection [(k)] (h) of section 30-22a, as
946 amended by this act, or an airline permit issued under section 30-28a,
947 shall cause [his or her] such permittee's permit or a duplicate thereof to
948 be framed and hung in plain view in a conspicuous place in any room
949 where the sales so permitted are to be carried on.

950 Sec. 23. Subsections (a) to (e), inclusive, of section 30-91 of the 2022
951 supplement to the general statutes are repealed and the following is
952 substituted in lieu thereof (*Effective from passage*):

953 (a) The sale, [or the] dispensing, [or] consumption or [the] presence
954 in glasses or other receptacles suitable to [permit] allow for the
955 consumption of alcoholic liquor by an individual in places operating
956 under hotel permits issued under section 30-21, restaurant permits
957 issued under section 30-22, as amended by this act, cafe permits issued
958 under section 30-22a, as amended by this act, Connecticut craft cafe
959 permits issued under section 30-22d, as amended by this act, club

960 permits issued under section 30-22aa, restaurant permits for catering
961 establishments issued under section 30-22b, coliseum permits issued
962 under section 30-33a, nonprofit public museum permits issued under
963 section 30-37a, manufacturer permits for beer, a farm winery or wine,
964 cider and mead issued under subsection (b), (c) or (d), respectively, of
965 section 30-16, casino permits issued under section 30-37k, caterer liquor
966 permits issued under section 30-37j and charitable organization permits
967 issued under section 30-37b shall be unlawful on: (1) Monday, Tuesday,
968 Wednesday, Thursday and Friday between the hours of one o'clock a.m.
969 and nine o'clock a.m.; (2) Saturday between the hours of two o'clock a.m.
970 and nine o'clock a.m.; (3) Sunday between the hours of two o'clock a.m.
971 and ten o'clock a.m.; (4) Christmas, except (A) for alcoholic liquor that is
972 served where food is also available during the hours otherwise
973 permitted by this section for the day on which Christmas falls, and (B)
974 by casino permittees at casinos, as defined in section 30-37k; and (5)
975 January first between the hours of three o'clock a.m. and nine o'clock
976 a.m., except that on any Sunday that is January first the prohibitions of
977 this section shall be between the hours of three o'clock a.m. and ten
978 o'clock a.m.

979 (b) Any town may, by vote of a town meeting or by ordinance, reduce
980 the number of hours during which sales under subsection (a) of this
981 section, except sales [pursuant to] under a cafe permit issued [pursuant
982 to] under subsection (d) of section 30-22a, as amended by this act, shall
983 be permissible. In all cases when a town, either by vote of a town
984 meeting or by ordinance, has acted on the sale of alcoholic liquor or the
985 reduction of the number of hours when such sale is permissible, such
986 action shall become effective on the first day of the month succeeding
987 such action and no further action shall be taken until at least one year
988 has elapsed since the previous action was taken.

989 (c) Notwithstanding any provisions of subsections (a) and (b) of this
990 section, such sale, [or] dispensing, [or] consumption or presence in
991 glasses in places operating under a cafe permit issued [pursuant to]
992 under subsection (f) of section 30-22a, as amended by this act, shall be
993 unlawful before eleven a.m. on any day, except in that portion of the

994 permit premises which is located in a separate room or rooms entry to
995 which, from the bowling lane area of the establishment, is by means of
996 a door or doors which shall remain closed at all times except to permit
997 entrance and egress to and from the lane area. Any alcoholic liquor sold
998 or dispensed in a place operating under a cafe permit issued [pursuant
999 to] under subsection (f) of section 30-22a, as amended by this act, shall
1000 be served in containers such as, but not limited to, plastic or glass. Any
1001 town may, by vote of a town meeting or by ordinance, reduce the
1002 number of hours during which sales under this subsection shall be
1003 permissible.

1004 (d) The sale or dispensing of alcoholic liquor for off-premises
1005 consumption in places operating under package store permits [, drug
1006 store permits] issued under subsection (b) of section 30-20, as amended
1007 by this act, druggist permits issued under section 30-36, manufacturer
1008 permits [for beer or] issued under section 30-16, grocery store beer
1009 permits issued under subsection (c) of section 30-20, as amended by this
1010 act, or religious wine retailer permits issued under section 2 of this act
1011 shall be unlawful on Thanksgiving Day, New Year's Day and Christmas;
1012 and such sale or dispensing of alcoholic liquor for off-premises
1013 consumption in places operating under package store permits, [drug
1014 store] druggist permits, manufacturer permits for beer, [and] grocery
1015 store beer permits and religious wine retailer permits shall be unlawful
1016 on Sunday before ten o'clock a.m. and after six o'clock p.m. and on any
1017 other day before eight o'clock a.m. and after ten o'clock p.m. Any town
1018 may, by a vote of a town meeting or by ordinance, reduce the number
1019 of hours during which such sale shall be permissible.

1020 (e) (1) In the case of any premises operating under a cafe permit [,]
1021 issued under subsection (c) of section 30-22a, as amended by this act, or
1022 a Connecticut craft cafe permit issued under section 30-22d, as amended
1023 by this act, and wherein, under the provisions of this section, the sale of
1024 alcoholic liquor is forbidden on certain days or hours of the day, or
1025 during the period when [a cafe] such permit is suspended, it shall
1026 likewise be unlawful to keep such premises open to, or permit [it] such
1027 premises to be occupied by, the public on such days or hours.

1028 (2) In the case of any premises operating under a cafe permit, it shall
1029 be unlawful to keep such premises open to, or permit such premises to
1030 be occupied by, the public between the hours of one o'clock a.m. and six
1031 o'clock a.m. on Monday, Tuesday, Wednesday, Thursday and Friday
1032 and between the hours of two o'clock a.m. and six o'clock a.m. on
1033 Saturday and Sunday or during any period of time when such permit is
1034 suspended, provided the sale, [or the] dispensing or consumption of
1035 alcohol on such premises operating under such cafe permit shall be
1036 prohibited beyond the hours authorized for the sale, [or] dispensing or
1037 consumption of alcohol for such premises under this section.

1038 (3) Notwithstanding any provision of this chapter, in the case of any
1039 premises operating under a cafe permit, it shall be lawful for such
1040 premises to be open to, or be occupied by, the public when such
1041 premises is being used as a site for film, television, video or digital
1042 production eligible for a film production tax credit pursuant to section
1043 12-217jj, provided the sale, [or the] dispensing or consumption of
1044 alcohol on such premises operating under such cafe permit shall be
1045 prohibited beyond the hours authorized for the sale, [or the] dispensing
1046 or consumption of alcohol for such premises under this section.

1047 Sec. 24. Subsection (e) of section 30-22 of the general statutes is
1048 repealed and the following is substituted in lieu thereof (*Effective from*
1049 *passage*):

1050 (e) "Restaurant" means space [,] that (1) is located in a suitable and
1051 permanent building, (2) is kept, used, maintained, advertised and held
1052 out to the public to be a place where hot meals are regularly served, [but
1053 which] (3) has no sleeping accommodations for the public, [and which
1054 shall be provided with] (4) has an adequate and sanitary kitchen and
1055 dining room, [and] (5) employs at all times an adequate number of
1056 employees, and (6) if such space has no effective separation between a
1057 barroom and a dining room, includes at least four hundred square feet
1058 of dining space, and seating for at least twenty persons, in the dining
1059 room.

1060 Sec. 25. Section 30-22d of the general statutes is repealed and the
1061 following is substituted in lieu thereof (*Effective from passage*):

1062 (a) For the purposes of this section, "craft cafe" means a space that (1)
1063 is located in a suitable and permanent building, (2) is kept, used,
1064 maintained, advertised and held out to the public to be a place where
1065 alcoholic liquor and food are served at retail for consumption on the
1066 premises, (3) at all times has employed therein an adequate number of
1067 employees, (4) does not include public sleeping accommodations, and
1068 (5) need not necessarily have a dining room or kitchen.

1069 ~~[(a)]~~ (b) A Connecticut craft cafe permit shall allow the retail sale of
1070 alcoholic liquor manufactured in this state to be consumed on the
1071 premises of such craft cafe. The holder of such permit shall also hold a
1072 manufacturer permit issued under section 30-16, and shall keep food
1073 available during [a] the majority of the hours such permit premises are
1074 open [pursuant to] under this subsection for sale to, and consumption
1075 by, customers on [the] such permit premises. The availability of food
1076 from outside vendors located on or near the permit premises, [shall be
1077 deemed compliance with] delivered either directly by such outside
1078 vendors or indirectly through a third party, is sufficient to satisfy such
1079 requirement. The permit premises shall at all times comply with all
1080 regulations of the local department of health. Nothing [herein] in this
1081 section shall be construed to require that any food be sold or purchased
1082 with any alcoholic liquor, [nor shall any] and no rule, regulation or
1083 standard shall be promulgated or enforced [requiring] to require that
1084 [the sale] sales of food be substantial or that the business's receipts [of
1085 the business other than from the sale] from sales of alcoholic liquor
1086 equal any set percentage of total receipts from all sales made [therein]
1087 on the permit premises. A Connecticut craft cafe permit shall allow, with
1088 [the prior approval of] the Department of Consumer [Protection]
1089 Protection's prior approval and if allowed under fire, zoning and health
1090 regulations, alcoholic liquor to be served at tables in outside areas that
1091 are screened or not screened from public view, [where permitted by fire,
1092 zoning and health regulations. If not required by] If fire, zoning or
1093 health regulations [,] do not require that such areas be enclosed by a

1094 fence or wall, [enclosing such outside areas shall not be required by the
1095 Department of Consumer Protection] the department shall not require
1096 that such areas be so enclosed. No such fence or wall [used to enclose
1097 such outside areas] shall be less than thirty inches high. [Such] A
1098 Connecticut craft cafe permit shall also authorize the sale, at retail from
1099 the permit premises [of] for consumption off the permit premises, of
1100 sealed containers supplied by the permittee of draught beer. [for
1101 consumption off the premises.] Such sales shall be conducted only
1102 during the hours that the holder of a manufacturer permit for beer
1103 issued under subsection (b) of section 30-16 is permitted to sell alcoholic
1104 liquor under the provisions of subsection (d) of section 30-91, as
1105 amended by this act. Not more than nine gallons of such beer shall be
1106 sold to any person on any day on which the sale of alcoholic liquor is
1107 authorized under the provisions of subsection (a) of section 30-91, as
1108 amended by this act. The annual fee for [a] each Connecticut craft cafe
1109 permit shall be three hundred dollars.

1110 [(b) As used in subsection (a) of this section, "craft cafe" means space
1111 in a suitable and permanent building, kept, used, maintained,
1112 advertised and held out to the public to be a place where alcoholic liquor
1113 and food is served for sale at retail for consumption on the premises but
1114 that does not necessarily serve hot meals, as specified in subsection (a)
1115 of this section, but shall have employed therein at all times an adequate
1116 number of employees. "Cafe" does not include sleeping
1117 accommodations for the public and need not necessarily have a kitchen
1118 or dining room.]

1119 (c) The holder of a Connecticut craft cafe permit may purchase, for
1120 resale on such permit holder's premises, alcoholic liquor [for resale on
1121 such permit holder's premises] from the holder of a manufacturer
1122 permit for: (1) [Manufacturer permit for spirits issued pursuant to]
1123 Spirits issued under subsection (a) of section 30-16; [, (2) manufacturer
1124 permit for] (2) beer issued [pursuant to] under subsection (b) of section
1125 30-16; [, (3) manufacturer permit for] (3) a farm winery issued [pursuant
1126 to] under subsection (c) of section 30-16; [,] or (4) [manufacturer permit
1127 for] wine, cider and mead issued [pursuant to] under subsection (d) of

1128 section 30-16. The holder of a Connecticut craft cafe permit shall not
1129 purchase the same type of alcoholic liquor such permit holder
1130 manufactures from any holder of a manufacturer permit specified in
1131 subdivision (1), (2) or (3) of this subsection. The sale of such alcoholic
1132 liquor shall not [be] comprise more than twenty per cent of the
1133 Connecticut craft cafe permit holder's gross annual sales of all alcoholic
1134 liquor sold for [on-premise] on-premises consumption.

1135 Sec. 26. Subsection (c) of section 30-22e of the 2022 supplement to the
1136 general statutes is repealed and the following is substituted in lieu
1137 thereof (*Effective from passage*):

1138 (c) The seasonal outdoor open-air permit shall be effective either
1139 April first to September thirtieth, inclusive, or May first to October
1140 thirty-first, inclusive, of the same year. Such permit shall be issued by
1141 the Department of Consumer Protection subject to the limitations on
1142 hours of operation for a restaurant permittee, as specified in section 30-
1143 91, as amended by this act. [Any] No such permit shall [not] be
1144 renewable, and the [issuance of] department shall not issue a
1145 provisional seasonal outdoor open-air permit. [is prohibited.] Any
1146 backer of the permittee may [only] apply for only one [such] seasonal
1147 outdoor open-air permit per calendar year. The provisions of
1148 subdivision (3) of subsection (b) and subsection (c) of section 30-39, as
1149 amended by this act, do not apply to [such permit] seasonal outdoor
1150 open-air permits. The annual fee for [a] each seasonal outdoor open-air
1151 permit shall be two thousand dollars.

1152 Sec. 27. Section 30-35b of the 2022 supplement to the general statutes
1153 is repealed and the following is substituted in lieu thereof (*Effective from*
1154 *passage*):

1155 [A ninety-day provisional permit shall allow the retail sale or
1156 manufacture of alcoholic liquor by any] The Department of Consumer
1157 Protection or Liquor Control Commission may, in the department's or
1158 commission's discretion, issue to any applicant, who makes a sworn
1159 application for a liquor permit under section 30-39, as amended by this

1160 act, and such applicant's backer, if any, a ninety-day provisional permit
1161 allowing such applicant and [his or her backer, if any, who has made
1162 application for a liquor permit pursuant to section 30-39 and may be
1163 issued at the discretion of the Liquor Control Commission or the
1164 Department of Consumer Protection] backer to manufacture or sell, at
1165 retail, alcoholic liquor. If such applicant or [such applicant's backer, if
1166 any,] backer causes any delay in the investigation conducted by the
1167 [Department of Consumer Protection] department pursuant to [said]
1168 section 30-39, as amended by this act, [the] such ninety-day provisional
1169 permit shall immediately cease [immediately. Only] to be effective. The
1170 department or commission shall issue only one [such] ninety-day
1171 provisional permit [shall be issued] to any such applicant and [his or
1172 her] applicant's backer [, if any,] for each location of the club or place of
1173 business which is to be operated under such permit. [and such] Such
1174 ninety-day provisional permit shall be nonrenewable, but may be
1175 extended due to delays not caused by the applicant. [Such] The
1176 department or commission shall not extend such permit [shall not be
1177 extended] beyond one year from the filing date, as defined in section 30-
1178 39, as amended by this act. The nonrefundable fee for such ninety-day
1179 provisional permit shall be five hundred dollars.

1180 Sec. 28. Section 30-81 of the 2022 supplement to the general statutes
1181 is repealed and the following is substituted in lieu thereof (*Effective from*
1182 *passage*):

1183 No person who is [, by statute or regulation,] declared, under any
1184 provision of the general statutes or the regulations of Connecticut state
1185 agencies, to be an unsuitable person to hold a permit to sell alcoholic
1186 liquor shall be allowed to have a financial interest in any [such permit]
1187 business that is permitted to sell alcoholic liquor under any provision of
1188 the general statutes or the regulations of Connecticut state agencies.
1189 Except as provided in section 30-90a, no minor shall be employed [in
1190 any premises operating under a cafe permit in any capacity or] in
1191 handling any alcoholic liquor upon, [in] delivering any alcoholic liquor
1192 to [,] or [in] carrying or conveying any alcoholic liquor from [,] any
1193 permit premises.

1194 Sec. 29. Section 30-90 of the 2022 supplement to the general statutes
1195 is repealed and the following is substituted in lieu thereof (*Effective from*
1196 *passage*):

1197 Any permittee who, [by himself, his] either personally or through
1198 such permittee's servant or agent, [permits] allows any minor or any
1199 person to whom the sale or gift of alcoholic liquor has been [forbidden
1200 according to] prohibited by law to loiter on [his] the permit premises
1201 where [such] alcoholic liquor is kept for sale, or who allows any minor,
1202 other than a person [over age eighteen who is] who is at least eighteen
1203 years of age and an employee or permit holder under section 30-90a or
1204 a minor accompanied by [his] the minor's parent or guardian, to be in
1205 any room where alcoholic liquor is served at any bar, shall be subject to
1206 the penalties [of] described in section 30-113. For barrooms consisting of
1207 only one room and for permit premises without effective separation
1208 between a barroom and a dining room, [no] an unaccompanied minor
1209 may remain on the permit premises while waiting for and consuming
1210 food prepared on such permit premises. No minor may sit or stand at a
1211 consumer bar without being accompanied by a parent, guardian or
1212 spouse.

1213 Sec. 30. Section 20-578 of the general statutes is repealed and the
1214 following is substituted in lieu thereof (*Effective from passage*):

1215 (a) Information received by the department, the commission or the
1216 Department of Public Health, through filed reports or inspection or as
1217 otherwise authorized under chapters 418, [and] 420b, 420c and 420f and
1218 sections 20-570 to 20-630, inclusive, shall not be disclosed publicly in
1219 such a manner as to identify individuals or institutions, except: (1) In a
1220 proceeding involving the question of licensure or the right to practice;
1221 [,] and (2) in a proceeding where the commission has voted in favor of
1222 formal disciplinary action against a pharmacist or pharmacy licensed
1223 pursuant to this chapter, when such disciplinary action is related to an
1224 error in the dispensing of medication. Nothing in this section shall be
1225 construed to prohibit the commissioner from disclosing information
1226 gained through the inspection of pharmacies and outlets holding

1227 permits for the sale of nonlegend drugs if the commissioner considers
1228 such disclosure to be in the interest of public health.

1229 (b) Notwithstanding the provisions of subsection (a) of this section,
1230 section 21a-265 and chapter 55, the Commissioners of Consumer
1231 Protection and Public Health and the authorized agents of said
1232 commissioners, in carrying out their duties under subsection (a) of this
1233 section, may: (1) Exchange information relating to a license or
1234 registration issued by their respective agencies; [] or (2) exchange
1235 investigative information relating to violations of this chapter with each
1236 other, [with] the Chief State's Attorney and [with] any agencies charged
1237 with [the enforcement of] enforcing the pharmacy or drug laws of the
1238 United States, this state [and all] or other jurisdictions.

1239 Sec. 31. Subsection (a) of section 20-621a of the 2022 supplement to
1240 the general statutes is repealed and the following is substituted in lieu
1241 thereof (*Effective from passage*):

1242 (a) As used in this section: [] (1) ["long-term care pharmacy"] "Long-
1243 term care pharmacy" (A) means a pharmacy licensed under section 20-
1244 594, or registered as a nonresident pharmacy under section 20-627, that
1245 stores and dispenses legend drugs and legend devices to patients or
1246 residents of licensed nursing homes, rest homes, residential care homes
1247 or other supervised residential facilities and from which related
1248 pharmaceutical care services are provided, and (B) includes pharmacies
1249 located both inside and outside of such facilities but does not include
1250 those that are part of a licensed hospital; [] (2) "nursing home" has the
1251 same meaning as provided in section 19a-490; [] and (3) "automated
1252 prescription dispensing machine" has the same meaning as provided in
1253 section 20-571. A long-term care pharmacy may operate an automated
1254 prescription dispensing machine in a nursing home in accordance with
1255 a protocol approved in writing by the Department of Consumer
1256 Protection, until such time as regulations are adopted pursuant to
1257 subsection (b) of this section. The annual fee to operate an automated
1258 prescription dispensing machine shall be one hundred dollars per
1259 machine.

1260 Sec. 32. Section 21a-248 of the general statutes is repealed and the
1261 following is substituted in lieu thereof (*Effective from passage*):

1262 (a) A licensed manufacturer or wholesaler may sell and dispense
1263 controlled drugs to any of the following-named persons, but in the case
1264 of schedule II drugs only on an official written order or electronically
1265 through the Drug Enforcement Agency's Controlled Substance
1266 Ordering System: (1) To a manufacturer, wholesaler or pharmacist; (2)
1267 to a physician, dentist or veterinarian; (3) to a person in charge of a
1268 hospital, incorporated college or scientific institution, but only for use
1269 by or in that hospital, incorporated college or scientific institution for
1270 medical or scientific purposes; (4) to a person in charge of a laboratory,
1271 but only for use in that laboratory for scientific and medical purposes;
1272 and (5) to any registrant as defined in subdivision (47) of section 21a-
1273 240.

1274 (b) A licensed manufacturer or wholesaler may sell controlled drugs
1275 only to registrants when permitted under federal and state laws and
1276 regulations.

1277 (c) An official [written] order for any schedule I or II drug shall be
1278 signed [in triplicate] by the person giving such order or by [his] such
1279 person's authorized agent and [the original] such order shall be
1280 presented to the person who sells or dispenses the drug or drugs named
1281 therein as provided by federal [laws] law. If such order is accepted by
1282 such person, each party to the transaction shall preserve [his] such
1283 party's copy of such order for a period of three years in such a way so
1284 as to be readily accessible for inspection by any public officer or
1285 employee engaged in the enforcement of this chapter.

1286 (d) The manufacturer or wholesaler shall keep records of all sales and
1287 dispensing of controlled drugs and shall comply fully with applicable
1288 provisions of the federal controlled drug laws and the federal food and
1289 drug laws, and the state food, drug and cosmetic laws in such sale or
1290 dispensing of controlled drugs.

1291 (e) Possession or control of controlled drugs obtained as authorized

1292 by this section shall be lawful only if obtained in the regular course of
1293 the business, occupation, profession, employment or duty of the
1294 possessor.

1295 (f) A person in charge of a hospital, incorporated college or scientific
1296 institution, or of a laboratory, or in the employ of this state or of any
1297 other state, or of any political subdivision thereof, and a master or other
1298 proper officer of a ship or aircraft, who obtains controlled drugs under
1299 the provisions of this section or otherwise, shall not administer, or
1300 dispense, or otherwise use such drugs within this state, except within
1301 the scope of [his] such person's, master's or officer's employment or
1302 official duty, and then only for scientific or medicinal purposes or for
1303 the purposes of research or analysis and subject to the provisions of this
1304 chapter.

1305 Sec. 33. Section 28-32 of the general statutes is repealed and the
1306 following is substituted in lieu thereof (*Effective from passage*):

1307 (a) For purposes of this section and section 28-32a:

1308 (1) (A) "Drugs" means [(A)] (i) substances recognized as drugs in the
1309 official United States Pharmacopoeia, official Homeopathic
1310 Pharmacopoeia of the United States [,] or official National Formulary,
1311 or any supplement to any of said publications, ; (B)] (ii) substances
1312 intended for use in [the diagnosis, cure, mitigation, treatment or
1313 prevention of] curing, diagnosing, mitigating, preventing or treating
1314 disease in [man] humans or other animals, [; (C)] (iii) substances, other
1315 than food, intended to affect the structure or any function of the body of
1316 [man] humans or other animals, [;] and [(D)] (iv) substances intended
1317 for use as a component of any article specified in [subparagraph (A), (B)
1318 or (C)] subparagraph (A)(i), (A)(ii) or (A)(iii) of this subdivision.

1319 (B) "Drugs" does not include devices or their components, parts or
1320 accessories. ;

1321 (2) (A) "Controlled drugs" means those drugs which contain any
1322 quantity of a substance which has been designated as subject to the

1323 federal Controlled Substances Act, or which has been designated as a
1324 depressant or stimulant drug pursuant to federal food and drug laws,
1325 or which has been designated by the Commissioner of Consumer
1326 Protection pursuant to section 21a-243 as having a stimulant, depressant
1327 or hallucinogenic effect upon the higher functions of the central nervous
1328 system and as having a tendency to promote abuse or psychological or
1329 physiological dependence, or both. Such controlled drugs are
1330 classifiable as amphetamine-type, barbiturate-type, cannabis-type,
1331 cocaine-type, hallucinogenic, morphine-type and other stimulant and
1332 depressant drugs.

1333 (B) "Controlled drugs" does not include alcohol, nicotine or caffeine.
1334 [;]

1335 (3) (A) "Controlled substance" means a drug, substance or immediate
1336 precursor in schedules I to V, inclusive, of the Connecticut controlled
1337 substance scheduling regulations adopted pursuant to section 21a-243.

1338 (B) "Controlled substance" does not include alcohol, nicotine or
1339 caffeine.

1340 (4) "Medical devices" means apparatuses, contrivances and
1341 instruments, including their accessories, components and parts,
1342 intended (A) for use in curing, diagnosing, mitigating, preventing or
1343 treating disease in humans or other animals, or (B) to affect the structure
1344 or any function of the body of humans or other animals.

1345 (b) Upon declaration of an emergency by the Governor or the
1346 Governor's authorized representative having authority to declare
1347 emergencies, a hospital pharmacy, pharmacy or registrant authorized
1348 by state or federal law to be in possession of controlled substances may,
1349 in accordance with applicable federal regulations, policies and
1350 guidelines and with prior approval of the Commissioner of Consumer
1351 Protection, transfer or distribute drugs, [or] controlled drugs or medical
1352 devices to a licensed pharmacy, a registrant authorized by state or
1353 federal law to be in possession of controlled substances, or a location
1354 authorized by the commissioner. Such registrant shall record the

1355 transfer accurately and in compliance with all state and federal statutes
1356 and regulations and shall report the transfer, in writing, to the
1357 commissioner.

1358 Sec. 34. Section 21a-79 of the general statutes is repealed and the
1359 following is substituted in lieu thereof (*Effective from passage*):

1360 (a) For the purposes of this section: [(1) "consumer commodity" and
1361 "unit of a consumer commodity" have]

1362 (1) "Alcoholic liquor" has the same meaning as provided in section
1363 30-1, as amended by this act;

1364 (2) "Carbonated soft drink container" means an individual, separate
1365 sealed glass, metal or plastic bottle, can, carton or jar containing a
1366 carbonated liquid soft drink that is sold separately or in packages of not
1367 more than twenty-four individual containers;

1368 (3) "Consumer commodity" has the same meaning as provided in
1369 section 21a-73, except that [consumer commodity] "consumer
1370 commodity" does not include alcoholic liquor [, as defined in
1371 subdivision (3) of section 30-1,] or a carbonated soft drink container; [(2)
1372 "carbonated soft drink container" means an individual, separate, sealed
1373 glass, metal or plastic bottle, can, jar or carton containing a carbonated
1374 liquid soft drink sold separately or in packages of not more than twenty-
1375 four individual containers; (3) "universal product coding"]

1376 (4) "Electronic pricing system" means a system that utilizes, by means
1377 of a scanner, universal product coding bar codes in combination with a
1378 cash register to record and total a consumer's purchases;

1379 (5) "Electronic shelf labeling system" means an electronic system that
1380 utilizes an electronic device which (A) is attached to a shelf, or at any
1381 other point of sale, immediately above or below an item, (B) clearly and
1382 conspicuously displays to consumers the price and unit price of a
1383 consumer commodity, and (C) reads the same data as an electronic cash
1384 register scanning system;

1385 (6) "End cap display" means a location in a retail sales area that is at
1386 the immediate end of an aisle;

1387 (7) "Unit of a consumer commodity" has the same meaning as
1388 provided in section 21a-73; and

1389 (8) "Universal product coding" means any system of coding that
1390 entails electronic pricing. [; (4) an electronic shelf labeling system is an
1391 electronic system that utilizes an electronic device attached to the shelf
1392 or at any other point of sale, immediately below or above the item, that
1393 conspicuously and clearly displays to the consumer the unit price and
1394 the price of the consumer commodity. Such electronic shelf labeling
1395 system reads the exact same data as the electronic cash register scanning
1396 system; and (5) an electronic pricing system is a system that utilizes the
1397 universal product coding bar code by means of a scanner in combination
1398 with the cash register to record and total a customer's purchases.]

1399 (b) (1) (A) Any person who, or association, corporation, firm [,] or
1400 partnership [, association or corporation] that, [utilizes] uses universal
1401 product coding [in totaling] to total a retail [customer's] consumer's
1402 purchases shall mark, or cause to be marked, each consumer commodity
1403 that bears a [Universal Product Code] universal product code with [its]
1404 such consumer commodity's retail price.

1405 (B) Any person who, or association, corporation, firm [,] or
1406 partnership [, association or corporation] that, [utilizes] uses an
1407 electronic pricing system [in totaling] to total a retail consumer's
1408 purchases shall provide [each] to such consumer [with] an item-by-item
1409 digital display, plainly visible to [the] such consumer as each universal
1410 [pricing] product code is scanned, of the price of each carbonated soft
1411 drink container or consumer commodity, [or carbonated soft drink
1412 container,] or both, which such consumer has selected for purchase [by
1413 such consumer prior to accepting] before such person, association,
1414 corporation, firm or partnership accepts payment from such consumer
1415 for such carbonated soft drink container or consumer commodity, or
1416 [container] both. The provisions of this subparagraph [do] shall not be

1417 construed to apply to any person who, or association, corporation, firm
1418 [.] or partnership [, association or corporation] that, is operating in a
1419 retail sales area of not more than ten thousand square feet.

1420 (2) The provisions of subparagraph (A) of subdivision (1) of this
1421 subsection shall not apply if [:] (A) [The] the Commissioner of Consumer
1422 Protection, by regulation, allows for the [utilization] use of electronic
1423 shelf labeling systems, [:] (B) [a retailer is granted] the commissioner
1424 grants to a person, association, corporation, firm or partnership
1425 approval to [utilize] use an electronic shelf labeling system, [by the
1426 commissioner;] (C) the [retailer has demonstrated] person, association,
1427 corporation, firm or partnership demonstrates, to the commissioner's
1428 satisfaction, [of the commissioner] that such electronic shelf labeling
1429 system is supported by an electronic pricing system that [utilizes] uses
1430 universal product coding [in totaling] to total a retail [customer's]
1431 consumer's purchases, [:] and (D) [the retailer] such person, association,
1432 corporation, firm or partnership has received the commissioner's
1433 approval for such an electronic pricing system. [by the commissioner.]

1434 (3) The provisions of subparagraph (A) of subdivision (1) of this
1435 subsection shall not apply to a person, association, corporation, firm or
1436 partnership if [:] (A) [The retailer has met] the conditions [of] established
1437 in subdivision (2) of this subsection [:] have been satisfied, and (B) the
1438 [retailer] person, association, corporation, firm or partnership has
1439 received the Commissioner of Consumer Protection's permission [by the
1440 commissioner] to suspend implementation of the electronic pricing
1441 system for a period, not to exceed thirty days, [in order to allow the
1442 retailer] to enable such person, association, corporation, firm or
1443 partnership, or an agent acting on behalf of [the retailer] such person,
1444 association, corporation, firm or partnership, to [reset,] remodel, repair,
1445 reset or otherwise modify such electronic pricing system at the retail
1446 establishment.

1447 (4) The provisions of subparagraph (A) of subdivision (1) of this
1448 subsection shall not apply to a person, association, corporation, firm or
1449 partnership if [:] (A) [The retailer] the person, association, corporation,

1450 firm or partnership applies for, and [is approved for] the Commissioner
1451 of Consumer Protection approves, an exemption [by the Commissioner
1452 of Consumer Protection] for such person, association, corporation, firm
1453 or partnership, (B) [the retailer] such person, association, corporation,
1454 firm or partnership demonstrates, to the commissioner's satisfaction, [of
1455 the commissioner] that [the retailer] such person, association,
1456 corporation, firm or partnership has achieved price scanner accuracy of
1457 at least ninety-eight per cent, as determined by the latest version of the
1458 National Institute of Standards and Technology Handbook 130,
1459 "Examination Procedures for Price Verification", as adopted by The
1460 National Conference on Weights and Measures, [",] (C) [the retailer]
1461 such person, association, corporation, firm or partnership pays an
1462 application fee, to be used to offset annual inspection costs, of three
1463 hundred fifteen dollars, if the premises consists of less than twenty
1464 thousand square feet of retail space, [and] or six hundred twenty-five
1465 dollars, if the premises consists of at least twenty thousand square feet
1466 [or more] of retail space, (D) [the retailer] such person, association,
1467 corporation, firm or partnership makes available a consumer price test
1468 scanner that is approved by the commissioner and located prominently
1469 in an easily accessible location for each twelve thousand square feet of
1470 retail floor space, or fraction thereof, and (E) price accuracy inspections
1471 resulting in less than ninety-eight per cent price scanner accuracy are
1472 reinspected, without penalty, and [the retailer] such person, association,
1473 corporation, firm or partnership pays a two-hundred-fifty-dollar
1474 reinspection fee.

1475 (5) Notwithstanding any provision of this subsection, consumer
1476 commodities that are offered for sale and [that are] located on an end
1477 cap display within the retail sales area [are] shall not be subject to the
1478 requirements [specified under] established in this subsection, provided
1479 any information that would otherwise have been made available to a
1480 consumer pursuant to this section is clearly and conspicuously posted
1481 on or adjacent to such end cap. [For purposes of this subdivision, "end
1482 cap display" means the location in the retail sales area that is at the
1483 immediate end of an aisle.]

1484 (6) Consumer commodities that are advertised in a publicly
1485 circulated printed form as being offered for sale at a reduced retail price
1486 for a minimum seven-day period need not be individually marked at
1487 such reduced retail price, provided such consumer commodities are
1488 individually marked with their regular retail price and a conspicuous
1489 sign [is] adjacent to such consumer commodities [, which sign] discloses
1490 [:] (A) [The] such reduced retail price and [its] the unit price [:] of such
1491 consumer commodities, and (B) a statement disclosing that [the item]
1492 the cashier will [be] electronically [priced] price such consumer
1493 commodities at [the] such reduced price. [by the cashier.]

1494 (7) [If] (A) Except as provided in subparagraph (B) of this
1495 subdivision, if a consumer commodity is offered for sale and [its] the
1496 consumer commodity's electronic price is higher than the posted price,
1497 then one item of such consumer commodity, up to a value of twenty
1498 dollars, shall be given to the consumer at no cost to the consumer. A
1499 conspicuous sign shall adequately disclose to the consumer that in the
1500 event the electronic price is higher than the posted retail price, one item
1501 of such consumer commodity shall be given to the [customer] consumer
1502 at no cost to the consumer.

1503 (B) The provisions of subparagraph (A) of this subdivision shall not
1504 apply to a person, association, corporation, firm or partnership in cases
1505 where the person, association, corporation, firm or partnership (i)
1506 improperly fails to redeem a digital or paper coupon which, if properly
1507 redeemed, would reduce the price of a consumer commodity, or (ii) fails
1508 to remove a sign adjoining a consumer commodity and disclosing a
1509 time-limited reduced price for the consumer commodity after the time
1510 period specified for such reduced price has expired.

1511 (8) If a consumer presents a digital or paper coupon which, if
1512 properly redeemed, would reduce the price of a consumer commodity
1513 and the person, association, corporation, firm or partnership fails to
1514 properly redeem such coupon, such person, association, corporation,
1515 firm or partnership shall provide to the consumer a refund in an amount
1516 that is equal to the value of such coupon. If a person, association,

1517 corporation, firm or partnership offers a consumer commodity for sale
1518 at a reduced price for a specified time period, and a sign disclosing such
1519 reduced price remains adjacent to the consumer commodity following
1520 expiration of such time period, the person, association, corporation, firm
1521 or partnership shall only require a consumer to pay the reduced price
1522 disclosed in such sign for such consumer commodity.

1523 (c) (1) The Commissioner of Consumer Protection may adopt
1524 regulations, in accordance with the provisions of chapter 54, concerning
1525 the marking of prices, and use of universal product coding, on each unit
1526 of a consumer commodity.

1527 (2) The Commissioner of Consumer Protection may adopt
1528 regulations, in accordance with the provisions of chapter 54, designating
1529 not more than twelve consumer commodities that need not be marked
1530 in accordance with the provisions of subdivision (1) of subsection (b) of
1531 this section and specifying the method of providing adequate disclosure
1532 to consumers to ~~[insure]~~ ensure that the electronic pricing of the
1533 designated consumer commodities is accurate. The commissioner may
1534 also establish, by regulation, methods to protect consumers against
1535 electronic pricing errors of such designated consumer commodities and
1536 to ~~[insure]~~ ensure that the electronic prices of such designated consumer
1537 commodities are accurate. Among the methods that the commissioner
1538 may consider are conditions similar to those set forth in subdivision (5)
1539 of subsection (b) of this section.

1540 (d) The Commissioner of Consumer Protection, after providing
1541 notice and conducting a hearing in accordance with the provisions of
1542 chapter 54, may issue a warning citation to, or impose a civil penalty of
1543 not more than one hundred dollars for the first offense and not more
1544 than five hundred dollars for each subsequent offense on, any person ~~[,]~~
1545 who, or association, corporation, firm [,] or partnership [, association or
1546 corporation] that, violates any provision of subsection (b) of this section,
1547 or any regulation adopted pursuant to subsection (c) of this section. Any
1548 person who, or association, corporation, firm [,] or partnership [,
1549 association or corporation] that, violates any provision of subsection (b)

1550 of this section, or any regulation adopted pursuant to subsection (c) of
1551 this section, shall be fined not more than two hundred dollars for the
1552 first offense and not more than one thousand dollars for each
1553 subsequent offense. Each violation with respect to all units of a
1554 particular consumer commodity on any single day shall be deemed a
1555 single offense.

1556 Sec. 35. Section 21a-79b of the general statutes is repealed and the
1557 following is substituted in lieu thereof (*Effective from passage*):

1558 (a) For the purposes of this section, "consumer commodity" has the
1559 same meaning as provided in section [21a-73, except that "consumer
1560 commodity" does not include alcoholic liquor, as defined in subdivision
1561 (3) of section 30-1, or a carbonated soft drink container] 21a-79, as
1562 amended by this act.

1563 (b) (1) Notwithstanding the provisions of section 21a-79, as amended
1564 by this act, and except as provided in subdivision (2) of this subsection,
1565 if a retailer offers to a consumer a consumer commodity, including, but
1566 not limited to, [fruits] any fruit or [vegetables] vegetable weighed at the
1567 point of sale, [is offered for sale by a retailer] and [its] the price of the
1568 consumer commodity to the consumer at the point of sale is [higher]
1569 greater than the [posted or] advertised or posted retail price for such
1570 consumer commodity, [then] such retailer shall give such consumer
1571 commodity [, up to a value of twenty dollars, shall be given] to [the]
1572 such consumer, at no cost to such consumer, if the value of such
1573 consumer commodity is not more than twenty dollars. [A conspicuous]
1574 Retailers shall post a sign, [shall] in a conspicuous location, which
1575 adequately [disclose] discloses to [the consumer] consumers that in the
1576 event [such] the retail price of a consumer commodity is [higher] greater
1577 than the [posted or] advertised or posted retail price [,] for the consumer
1578 commodity, the retailer shall give such consumer commodity [shall be
1579 given] to the [customer] consumer at no cost to the consumer.

1580 (2) The provisions of subdivision (1) of this subsection shall not apply
1581 to a retailer if the retailer (A) improperly fails to redeem a digital or

1582 paper coupon which, if properly redeemed, would reduce the price of a
1583 consumer commodity, or (B) fails to remove a sign adjoining a consumer
1584 commodity and disclosing a time-limited reduced price for the
1585 consumer commodity after the time period specified for such reduced
1586 price has expired.

1587 (c) Notwithstanding the provisions of section 21-79 and except as
1588 provided in subsection (b) of this section, if a consumer presents a
1589 digital or paper coupon which, if properly redeemed, would reduce the
1590 price of a consumer commodity, including, but not limited to, any fruit
1591 or vegetable weighed at the point of sale, and the retailer fails to
1592 properly redeem such coupon, such retailer shall provide to the
1593 consumer a refund in an amount that is equal to the value of such
1594 coupon. If a retailer offers a consumer commodity, including, but not
1595 limited to, any fruit or vegetable weighed at the point of sale, for sale at
1596 a reduced price for a specified time period, and a sign disclosing such
1597 reduced price remains adjacent to the consumer commodity after
1598 expiration of such time period, the retailer shall only require a consumer
1599 to pay the reduced price disclosed in such sign for such consumer
1600 commodity.

1601 [(c)] (d) The Commissioner of Consumer Protection, after providing
1602 notice and conducting a hearing in accordance with the provisions of
1603 chapter 54, may issue a warning citation to, or impose a civil penalty of
1604 not more than one hundred dollars for the first offense and not more
1605 than five hundred dollars for each subsequent offense on, any person
1606 who, or association, corporation, firm [,] or partnership [, association or
1607 corporation] that, violates any provision of subsection (b) or (c) of this
1608 section. Each violation with respect to all units of a particular consumer
1609 commodity on any single day shall be deemed a single offense.

1610 [(d)] (e) The provisions of this section do not apply to any person,
1611 association, corporation, firm [,] or partnership [, association or
1612 corporation] operating in a retail sales area of not more than ten
1613 thousand square feet.

1614 Sec. 36. Section 42-133ff of the general statutes is repealed and the
1615 following is substituted in lieu thereof (*Effective from passage*):

1616 (a) For the purposes of this section:

1617 (1) (A) "Agent" (i) means any person who (I) arranges for the
1618 distribution of services by another person, or (II) leases, rents or sells
1619 tangible or intangible personal, real or mixed property, or any other
1620 article, commodity or thing of value, on behalf of another person, and
1621 (ii) includes, but is not limited to, (I) any person who is duly appointed
1622 as an agent by a common carrier, (II) any person who sells
1623 transportation, travel or vacation arrangements on behalf of another
1624 person who is engaged in the business of furnishing transportation,
1625 travel or vacation services, and (III) any member of a cruise line
1626 association that operates exclusively as an agent for cruise lines to sell
1627 cruise travel products or services.

1628 (B) "Agent" does not mean (i) a common carrier, (ii) an employee of a
1629 common carrier, or (iii) any person engaged in the business of
1630 furnishing transportation, travel or vacation services.

1631 (2) "Charge card" (A) means any card, device or instrument that (i) is
1632 issued, with or without a fee, to a holder and requires the holder to pay
1633 the full outstanding balance due on such card, device or instrument at
1634 the end of each standard billing cycle established by the issuer of such
1635 card, device or instrument, and (ii) may be used by the holder in a
1636 transaction to receive services or lease, purchase or rent tangible or
1637 intangible personal, real or mixed property, or any other article,
1638 commodity or thing of value, and (B) includes, but is not limited to, any
1639 software application that (i) is used to store a digital form of such card,
1640 device or instrument, and (ii) may be used in a transaction to receive
1641 such services or lease, purchase or rent any such property, article,
1642 commodity or thing.

1643 (3) "Credit card" (A) means any card, device or instrument that (i) is
1644 issued, with or without a fee, to a holder, and (ii) may be used by the
1645 holder in a transaction to receive services or lease, purchase or rent

1646 tangible or intangible personal, real or mixed property, or any other
1647 article, commodity or thing of value on credit, regardless of whether
1648 such card, device or instrument is known as a credit card, credit plate or
1649 by any other name, and (B) includes, but is not limited to, any software
1650 application that (i) is used to store a digital form of such card, device or
1651 instrument, and (ii) may be used in a transaction to receive such services
1652 or lease, purchase or rent any such property, article, commodity or thing
1653 on credit.

1654 (4) (A) "Debit card" (i) means any card, code, device or other means
1655 of access, or any combination thereof, that (I) is authorized or issued for
1656 use to debit an asset account held, directly or indirectly, by a financial
1657 institution, and (II) may be used in a transaction to receive services or
1658 lease, purchase or rent tangible or intangible personal, real or mixed
1659 property, or any other article, commodity or thing of value regardless of
1660 whether such card, code, device, means or combination is known as a
1661 debit card, and (ii) includes, but is not limited to, (I) any software
1662 application that is used to store a digital form of such card, code, device
1663 or other means of access, or any combination thereof, that may be used
1664 in a transaction to receive such services or lease, purchase or rent any
1665 such property, article, commodity or thing, and (II) any cards, codes,
1666 devices or other means of access, or any combination thereof, commonly
1667 known as automated teller machine cards and payroll cards.

1668 (B) "Debit card" does not mean (i) a check, draft or similar paper
1669 instrument, or (ii) any electronic representation of such check, draft or
1670 instrument.

1671 (5) "Person" means any natural person, corporation, incorporated or
1672 unincorporated association, limited liability company, partnership,
1673 trust or other legal entity.

1674 (6) "Surcharge" means any additional charge or fee that increases the
1675 total amount of a transaction for the privilege of using a particular form
1676 of payment.

1677 (7) (A) "Transaction" means distribution by one person to another

1678 person of any service, or the lease, rental or sale by one person of any
1679 tangible or intangible personal, real or mixed property, or any other
1680 article, commodity or thing of value to another person, for a certain
1681 price.

1682 (B) "Transaction" does not mean payment of any (i) fees, costs, fines
1683 or other charges to a state agency authorized by the Secretary of the
1684 Office of Policy and Management under section 1-1j, (ii) taxes, penalties,
1685 interest and fees allowed by the Commissioner of Revenue Services in
1686 accordance with section 12-39r, (iii) taxes, penalties, interest and fees, or
1687 other charges, to a municipality in accordance with section 12-141a, (iv)
1688 fees, costs, fines or other charges to the Judicial Branch in accordance
1689 with section 51-193b, or (v) sum pursuant to any other provision of the
1690 general statutes or regulation of Connecticut state agencies.

1691 [(a)] (b) No [seller] person may impose a surcharge [on a buyer who
1692 elects to use any method of payment, including, but not limited to, cash,
1693 check, credit card or electronic means, in] on any [sales] transaction.

1694 [(b) Any seller who accepts or offers to accept a bank credit card
1695 bearing a trade name as a means of payment shall accept any bank credit
1696 card bearing such trade name presented by a cardholder,
1697 notwithstanding the identity of the card issuer. For the purposes of this
1698 subsection, "bank credit card" means any credit card issued by a bank,
1699 savings bank, savings and loan association or credit union.]

1700 (c) (1) Nothing in this section shall prohibit any [seller] person from
1701 offering a discount [to a buyer] on any transaction to induce [such buyer
1702 to pay] payment by cash, check, debit card [, check] or similar means
1703 rather than by charge card or credit card. No person may offer any such
1704 discount unless such person posts a notice disclosing such discount.
1705 Such person shall clearly and conspicuously (A) post such notice on
1706 such person's premises if such person conducts transactions in-person,
1707 (B) display such notice on the Internet web site or digital payment
1708 application before completing any online transaction or transaction that
1709 is processed by way of such digital payment application, and (C)

1710 verbally provide such notice before completing any oral transaction,
1711 including, but not limited to, any telephonic transaction.

1712 (2) In furtherance of the legislative findings contained in section 42-
1713 133j, no existing or future agreement or contract [or agreement] shall
1714 prohibit a gasoline distributor or retailer [or distributor] from offering a
1715 discount to a buyer based upon the method [of payment by] such buyer
1716 uses to pay for such gasoline. Any provision in such [contract or]
1717 agreement or contract prohibiting such [retailer or] distributor or
1718 retailer from offering such discount is void and without effect [as]
1719 because such provision is contrary to public policy.

1720 [(d) Nothing in this section shall prohibit any seller from conditioning
1721 acceptance of a credit card on a buyer's minimum purchase. Each seller
1722 shall disclose any such minimum purchase policy orally or in writing at
1723 the point of purchase. For the purposes of this subsection, "at the point
1724 of purchase" includes, but is not limited to, at or on a cash register and
1725 in an advertisement or menu.

1726 (e) No provider of travel services may impose a surcharge on or
1727 reduce the commission paid to a travel agent who acts as an agent for
1728 such provider if the buyer uses a credit card to purchase such provider's
1729 travel services. A violation of any provision of this subsection shall be
1730 deemed an unfair or deceptive trade practice under subsection (a) of
1731 section 42-110b. As used in this subsection, "provider of travel services"
1732 means a person, firm or corporation engaged in the business of
1733 furnishing travel, transportation or vacation services, but does not
1734 include a travel agent, and "travel agent" means a person, firm,
1735 corporation or other entity that (1) is (A) a duly appointed agent of a
1736 common carrier, or (B) a member of a cruise line association and
1737 operates exclusively as an agent for cruise lines in the sale of cruise
1738 travel products or services, and (2) offers or sells travel, transportation
1739 or vacation arrangements as an agent for a provider of travel services,
1740 but does not include a common carrier or an employee of a common
1741 carrier.]

1742 (d) No person shall condition acceptance of a charge card or credit
1743 card for a transaction on a requirement that the transaction be in a
1744 minimum amount unless such person discloses such requirement. Such
1745 person shall clearly and conspicuously (1) post such notice on such
1746 person's premises if such person conducts transactions in-person, (2)
1747 display such notice on the Internet web site or digital payment
1748 application before completing any online transaction or transaction
1749 processed by way of such digital payment application, and (3) verbally
1750 provide such notice before completing any oral transaction, including,
1751 but not limited to, any telephonic transaction.

1752 (e) No person may reduce the amount of any commission paid to an
1753 agent for such person in a transaction because a charge card or credit
1754 card was used to provide payment as part of such transaction.

1755 (f) A violation of any provision of this section shall be deemed an
1756 unfair or deceptive trade practice under subsection (a) of section 42-
1757 110b. The Commissioner of Consumer Protection may impose an
1758 additional civil penalty for any violation of this section. The amount of
1759 such additional civil penalty shall not exceed five hundred dollars per
1760 violation. Payments of such additional civil penalty shall be deposited
1761 in the consumer protection enforcement account established in section
1762 21a-8a.

1763 (g) The Commissioner of Consumer Protection may adopt
1764 regulations, in accordance with the provisions of chapter 54, to
1765 implement the provisions of this section.

1766 Sec. 37. (NEW) (*Effective July 1, 2022*) Any contractor who is licensed
1767 under chapter 393 of the general statutes and engaged to perform work
1768 on a private residence, and any person who owns or controls a business
1769 that is engaged to perform work on, or render services concerning, a
1770 private residence through persons licensed under chapter 393 of the
1771 general statutes to perform such work or render such services, shall
1772 include in the invoice or work order for such work or services, provided
1773 such invoice or work order is not signed by the consumer and therefore

1774 may constitute a contract, when complete: (1) The full legal name and
1775 license number of such licensed contractor or the licensed contractor of
1776 record for such business for such work or services, which licensed
1777 contractor or licensed contractor of record is liable for the work of any
1778 individual who performs work on such contractor's behalf related to the
1779 invoiced work or services; (2) such licensed contractor's address or, in
1780 the case of a business, the business's address and phone number; (3) a
1781 description of such work or services; (4) the labor and material costs of
1782 such work or services; (5) the date or dates on which such work was
1783 performed or services were rendered; and (6) the complete name of each
1784 licensee who performed such work or rendered such services. For the
1785 purposes of this section, "private residence" has the same meaning as
1786 provided in section 20-419 of the general statutes.

1787 Sec. 38. Section 16a-17 of the general statutes is repealed and the
1788 following is substituted in lieu thereof (*Effective from passage*):

1789 (a) As used in this section and sections [16a-17] 16a-18 to 16a-20,
1790 inclusive:

1791 [(1) "Fuel" includes electricity, natural gas, petroleum products, coal
1792 and coal products, wood fuels, radioactive materials and any other
1793 resource yielding energy;]

1794 [(2)] (1) "Creating a fuel shortage" means the diminution by
1795 contrivance or artificial means of the supply of fuel to a point below that
1796 needed to meet consumer demands adequately; [.] and

1797 (2) "Fuel" includes coal and coal products, electricity, natural gas,
1798 petroleum products, radioactive materials, wood fuels and any other
1799 resource yielding energy.

1800 (b) As used in sections 16a-21, as amended by this act, 16a-22a and
1801 16a-22k:

1802 (1) "Associated equipment" means a gas line, gas regulator, [gas line,]
1803 sacrificial anode, interconnecting hardware and [such] any other

1804 equipment that is necessary [for the installation and operation of] to
1805 install and operate a propane tank;

1806 (2) "Automatic delivery" means the delivery of heating fuel to a
1807 consumer by a dealer [pursuant to] under a system determined by the
1808 dealer of calculating the consumer's heating fuel needs [of the
1809 consumer,] based on the consumer's [consumption of] heating fuel
1810 consumption;

1811 (3) "Cash" (A) means [legal tender,] a certified or cashier's check,
1812 commercial money order, legal tender or equivalent of such [legal
1813 tender,] check, [or] money order [Cash also] or legal tender, and (B)
1814 includes a guaranteed payment on behalf of a consumer by a
1815 government or community action agency, provided no discount is taken
1816 for the charge as billed;

1817 (4) "Commissioner" means the Commissioner of Consumer
1818 Protection;

1819 (5) "Consumer" means a direct purchaser of heating fuel from a
1820 heating fuel dealer [, when such fuel is the primary source of heat for
1821 residential heating or domestic hot water to] for one or more dwelling
1822 units within a structure having not more than four dwelling units;

1823 (6) "Gallon" means an accepted unit of measure consisting of two
1824 hundred thirty-one cubic inches, for all liquid or gaseous heating fuel,
1825 subject to modifications allowed under regulations adopted pursuant to
1826 section 43-42;

1827 (7) "Heating fuel" means any petroleum-based fuel, including any
1828 petroleum product regulated pursuant to chapter 250, used as the
1829 primary source of residential heating or domestic hot water; [, including
1830 petroleum products regulated pursuant to chapter 250;]

1831 (8) "Heating fuel dealer" or "dealer" means any individual or group
1832 of individuals who, or a cooperative, corporation, firm, limited liability
1833 company or partnership [, corporation, cooperative or limited liability

1834 company] that_z offers [the retail sale of] to sell, at retail, heating fuel to a
1835 consumer;

1836 (9) "Lessee" means a natural person who rents or leases personal
1837 property under a consumer rental or lease agreement;

1838 (10) "Lessor" means a heating fuel dealer who regularly provides the
1839 use of personal property through consumer rental or lease agreements
1840 and to whom rent is paid at a fixed interval for the use of such property;

1841 (11) "Notice of termination of automatic delivery" means a notice by
1842 a consumer to a dealer providing automatic delivery in which the
1843 consumer requests that the dealer [to] terminate such automatic
1844 delivery; and

1845 (12) "Purchase price" or "commercially reasonable price" means a
1846 price that does not exceed the fair market value of [the] a propane tank
1847 and associated equipment, as applicable.

1848 Sec. 39. Subsection (b) of section 16a-21 of the general statutes is
1849 repealed and the following is substituted in lieu thereof (*Effective from*
1850 *passage*):

1851 (b) If a consumer complaint is being mediated or investigated by the
1852 commissioner, the heating fuel dealer, if it owns the tank and has
1853 exclusive fill requirements, may not deny the consumer deliveries of
1854 heating fuel_z [from October first to March thirty-first, inclusive] or fuel
1855 for cooking or power generation, because of the existence of the
1856 mediation or investigation, provided the heating fuel dealer remains the
1857 exclusive supplier of [heating] such fuel and the consumer pays cash for
1858 such fuel upon delivery.

1859 Sec. 40. Subsection (a) of section 16a-23m of the general statutes is
1860 repealed and the following is substituted in lieu thereof (*Effective from*
1861 *passage*):

1862 (a) As used in this section, sections 16a-23n to 16a-23s, inclusive, and
1863 section 16a-23v:

1864 (1) "Budget plan" means a type of contract offering heating fuel [,]
1865 that may be paid for in advance of, on or after delivery and is paid for
1866 in not less than three installment payments over a period of at least one
1867 hundred twenty days, [or more,] provided the amount required to be
1868 paid as the first payment under such contract is not greater than fifty
1869 per cent of the remaining amount due under [the plan] such contract;

1870 (2) "Capped price plan" means [an agreement where] a contract
1871 which provides that the cost to the consumer [of] for heating fuel shall
1872 not increase above a specified price per gallon and the consumer shall
1873 pay less than [the] such specified price under circumstances specified in
1874 such contract;

1875 (3) "Commissioner" means the Commissioner of Consumer
1876 Protection;

1877 (4) "Consumer" means a direct purchaser of heating fuel from a
1878 heating fuel dealer [, when such fuel is the primary source of heating
1879 fuel for residential heating or domestic hot water to] for one or more
1880 dwelling units within a structure having not more than four dwelling
1881 units;

1882 (5) "Forwards contract" means an agreement between two parties to
1883 buy or sell an asset at a certain future time for a certain price;

1884 (6) "Futures contract" means a standardized, transferable, exchange-
1885 traded agreement that requires delivery of heating fuel at a specified
1886 price on a specified future date;

1887 (7) "Gallon" means an accepted unit of measure consisting of two
1888 hundred thirty-one cubic inches, for all liquid or gaseous heating fuel,
1889 subject to modifications allowed under regulations adopted pursuant to
1890 section 43-42;

1891 (8) "Guaranteed price plan", also known as "guaranteed plan", "fixed
1892 price", "full price", "lock in", "capped", "price cap", or other similar
1893 terminology, when used to describe a contract, means a type of contract

1894 that is not paid in advance of delivery, offering heating fuel at a
1895 guaranteed future price or at a maximum future price;

1896 (9) "Heating fuel" means any petroleum-based fuel, including any
1897 petroleum product regulated pursuant to chapter 250, used as a primary
1898 source of residential heating or domestic hot water; [, including
1899 petroleum products regulated pursuant to chapter 250;]

1900 (10) "Heating fuel dealer" or "dealer" means any individual or group
1901 of individuals who, or a [firm, partnership, corporation,] cooperative,
1902 [or] corporation, firm, limited liability company or partnership that,
1903 offers [the retail sale of] to sell, at retail, heating fuel to consumers;

1904 (11) "Heating oil" means a [predominantly liquefied] petroleum
1905 product, including a petroleum product known as #1 oil (kerosene), #2
1906 oil (heating oil), #4 oil, bio fuel or any bio fuel blended with
1907 conventionally refined fossil fuel commodities, that (A) is
1908 predominantly liquid at ambient temperatures, [that is] (B) is sold as a
1909 commodity, [and] (C) is a primary source of residential heating or
1910 domestic hot water, [including products known as #2 oil (heating oil),
1911 #1 oil (kerosene), #4 oil, bio fuels, or any bio fuel blended with
1912 conventionally refined fossil fuel commodities] and [that] (D) meets the
1913 requirements of the American Society for Testing and Materials
1914 Standard D396, as amended from time to time;

1915 (12) "Maintain" means retention of the balance, measured in gallons
1916 or other accepted units of measure, of heating fuel that remains to be
1917 delivered to consumers who are party to a guaranteed price plan
1918 contract;

1919 (13) "Physical supply contract" means an agreement for wet barrels
1920 or gallons of heating fuel that [has been] is secured by a heating fuel
1921 dealer;

1922 (14) "Prepaid guaranteed price plan", also known as "buy ahead",
1923 "prebuy", "prebought" or other similar terminology, when used to
1924 describe a contract, means a type of contract offering heating fuel at a

1925 guaranteed price, paid for in advance of delivery, but does not include
1926 a budget plan;

1927 (15) "Propane" or "liquefied petroleum gas (LPG)" means a petroleum
1928 product that (A) meets [ASTM] American Society for Testing and
1929 Materials specification D1835, as amended from time to time, [and] (B)
1930 is composed predominantly of [any of the following hydrocarbons or
1931 mixtures thereof: Propane, propylene,] butanes (normal butane or
1932 isobutane), [and] butylenes, propane, propylene or any mixture thereof,
1933 and (C) is intended for use, among other things, as a fuel for residential
1934 heating; and

1935 (16) "Surety bond" means a bond, issued by a licensed insurance
1936 company or banking institution, as surety for a dealer and obligating
1937 [the] surety to the commissioner, in a sum certain, in guaranty of the
1938 dealer's full and faithful performance [by the dealer] of prepaid
1939 guaranteed price plan contracts entered into pursuant to this chapter.

1940 Sec. 41. Section 16a-23o of the general statutes is repealed and the
1941 following is substituted in lieu thereof (*Effective from passage*):

1942 Any person, firm or corporation required to register as a [home
1943 heating oil or propane gas] heating fuel dealer pursuant to section 16a-
1944 23m, as amended by this act, that offers plumbing or heating work
1945 service shall submit evidence, deemed satisfactory by the Commissioner
1946 of Consumer Protection, when registering, that such person, firm or
1947 corporation subcontracts with or employs only persons licensed or
1948 registered pursuant to chapter 393 to perform such work. Such person,
1949 firm or corporation shall attest, when applying for registration as a
1950 heating fuel dealer pursuant to section 16a-23m, as amended by this act,
1951 that all plumbing or heating work service shall be performed in
1952 accordance with the provisions of chapter 393. Anyone registered under
1953 this section who offers such plumbing or heating services shall display
1954 the state license number of the subcontractor or employee performing
1955 such work for the registrant on all commercial vehicles used in their
1956 business and shall display such number in a conspicuous manner on all

1957 printed advertisements, bid proposals, contracts, invoices and
1958 stationery used in the business.

1959 Sec. 42. Section 20-334d of the general statutes is repealed and the
1960 following is substituted in lieu thereof (*Effective from passage*):

1961 (a) As used in this section:

1962 (1) "Accredited continuing professional education" means any
1963 education of an electrician or plumber that is (A) designed to maintain
1964 professional competence in the [pursuit,] practice, pursuit and
1965 standards of electrical work or plumbing and piping work, [and that is]
1966 (B) approved by the commissioner, and [is] (C) provided (i) by an
1967 agency, institution or organization [, institution or agency that is] that
1968 has been approved by the commissioner, and (ii) in-person or through
1969 an online technology platform that includes real-time video with audio,
1970 requires participants to periodically confirm their active engagement
1971 during the educational training session and enables participants to
1972 interact with instructors in real time during the entire educational
1973 training session;

1974 (2) "Certificate of continuing education" means a document [issued to
1975 an electrician or plumber by an organization, institution or agency] that
1976 (A) an agency, institution or organization that has been approved by the
1977 commissioner [that] and offers accredited continuing professional
1978 education [, which (A)] issues to an electrician or plumber, (B) certifies
1979 that an electrician or plumber has satisfactorily completed a specified
1980 number of continuing education hours, and [(B)] (C) bears the (i) name
1981 of such agency, institution or organization, [institution or agency, the]
1982 (ii) title of the program, [the] (iii) dates during which the program was
1983 conducted, [the] (iv) number of continuing education hours
1984 satisfactorily completed, and [the] (v) signature of the director of such
1985 [organization, institution or agency or the signature of the] agency,
1986 institution or organization or of such director's authorized agent; and

1987 (3) "Commissioner" means the Commissioner of Consumer
1988 Protection.

1989 (b) The commissioner, with the advice and assistance of the Electrical
1990 Work Board established pursuant to subsection (b) of section 20-331,
1991 shall adopt regulations, in accordance with chapter 54, to: (1) [establish]
1992 Establish additional requirements for accredited continuing
1993 professional education for electricians licensed pursuant to sections 20-
1994 330 to 20-341, inclusive; (2) establish qualifying criteria for accredited
1995 continuing professional education programs and establish qualifying
1996 criteria for acceptable certificates of continuing education; and (3)
1997 provide for the waiver of required accredited continuing professional
1998 education for electricians for good cause. Such regulations shall require
1999 not less than four hours per year of accredited continuing professional
2000 education for such electricians, except upon request of the Electrical
2001 Work Board, the commissioner may increase such hours to a maximum
2002 of seven hours.

2003 (c) The commissioner, with the advice and assistance of the Plumbing
2004 and Piping Work Board established pursuant to subsection (d) of section
2005 20-331, shall adopt regulations, in accordance with chapter 54, to: (1)
2006 [establish] Establish additional requirements for accredited continuing
2007 professional education for plumbers licensed pursuant to sections 20-
2008 330 to 20-341, inclusive, which regulations shall require not more than a
2009 total of seven hours of accredited continuing professional education
2010 every two years, except in the event of significant changes to the
2011 building code, as approved by the International Code Council, that
2012 relate to plumbing, the commissioner, at such commissioner's
2013 discretion, may require more than a total of seven hours of accredited
2014 continuing professional education every two years; (2) establish
2015 qualifying criteria for accredited continuing professional education
2016 programs and establish qualifying criteria for acceptable certificates of
2017 continuing education; and (3) provide for the waiver of required
2018 accredited continuing professional education for plumbers for good
2019 cause.

2020 (d) Notwithstanding the provisions of subsection (c) of this section,
2021 any person who has been issued a P-6, P-7, W-8 or W-9 license pursuant
2022 to section 20-334a and the regulations of Connecticut state agencies shall

2023 not be required to meet the continuing education requirements
2024 established pursuant to subsection (c) of this section.

2025 (e) Notwithstanding the provisions of subsections (a) to (d), inclusive,
2026 of this section, all accredited continuing professional education offered
2027 under the provisions of this section shall: (1) Limit class size to (A) fifty
2028 attendees if such accredited continuing professional education is offered
2029 in-person, or (B) twenty-five attendees if such accredited continuing
2030 professional education is offered through an online technology
2031 platform; (2) not be offered or held at the place of business of a licensed
2032 plumbing contractor if such accredited continuing professional
2033 education is for plumbers and offered in-person; and (3) not be offered
2034 or held at the place of business of a licensed electrical contractor if such
2035 accredited continuing professional education is for electricians and
2036 offered in-person. A provider of an accredited continuing professional
2037 education course shall retain an audio-visual recording of such course
2038 for a period of not less than thirty days after completion of such course.
2039 Recordings shall be made available to the department upon the
2040 department's request for such recordings.

2041 Sec. 43. Section 20-500 of the 2022 supplement to the general statutes
2042 is repealed and the following is substituted in lieu thereof (*Effective from*
2043 *passage*):

2044 As used in this section and sections [20-500] 20-501 to 20-529e,
2045 inclusive, unless the context otherwise requires:

2046 (1) "Appraisal" means the practice of developing, in conformance
2047 with the USPAP, an opinion of the value of real property. [, in
2048 conformance with the USPAP.]

2049 (2) "Appraisal Foundation" means the not-for-profit corporation
2050 referred to in Section 1121 of Title XI of FIRREA.

2051 (3) "Appraisal management company" means any person,
2052 [partnership,] association, corporation, limited liability company or
2053 [corporation] partnership that performs appraisal management

2054 services, ["Appraisal management company"] but does not include:

2055 (A) An appraiser that enters into [a] an oral or written [or oral]
2056 agreement with another appraiser for the performance of an appraisal,
2057 which is signed by both appraisers upon completion;

2058 (B) An appraisal management company that is a subsidiary owned
2059 and controlled by a financial institution regulated by a federal financial
2060 institution regulatory agency; [For the purposes of this subdivision,
2061 "financial institution" means a bank, as defined in section 36a-2, an out-
2062 of-state bank, as defined in section 36a-2, an institutional lender, any
2063 subsidiary or affiliate of such bank, out-of-state bank or institutional
2064 lender, or other lender licensed by the Department of Banking;]

2065 (C) A department or [unit of a financial institution subject to
2066 regulation by an agency or department of the United States government
2067 or an agency of this state that only receives appraisal requests from an
2068 employee of such financial institution] division of an entity that
2069 provides appraisal management services exclusively to such entity; or

2070 (D) Any local, state or federal agency or department thereof.

2071 (4) "Appraisal management services" means: [any of the following:]

2072 (A) The administration of an appraiser panel;

2073 (B) The recruitment of certified appraisers to be part of an appraiser
2074 panel, including, but not limited to, the negotiation of fees to be paid to,
2075 and services to be provided by, [such] the certified appraisers for their
2076 participation on [such] the appraiser panel; or

2077 (C) The receipt of an appraisal request or order, or an appraisal
2078 review request or order, and the delivery of such request or order to an
2079 appraiser panel.

2080 (5) "Appraiser panel" means a network of appraisers who are certified
2081 in accordance with the requirements established by the commission by
2082 regulation, [who] are independent contractors of an appraisal

2083 management company and [who] have:

2084 (A) Responded to an invitation, request or solicitation from an
2085 appraisal management company to perform appraisals (i) requested or
2086 ordered through [such] the appraisal management company, or (ii)
2087 directly for [such] the appraisal management company on a periodic
2088 basis as assigned by [the] such appraisal management company; and

2089 (B) Been selected and approved by [such] the appraisal management
2090 company.

2091 (6) "Bank" has the same meaning as provided in section 36a-2.

2092 ~~[(6)]~~ (7) "Certified appraiser" means a person who has satisfied the
2093 minimum requirements for a category of certification established by the
2094 commission by regulation. Such minimum requirements shall be
2095 consistent with guidelines established by the Appraisal Qualification
2096 Board of the Appraisal Foundation. The categories of certification shall
2097 include [, but may be modified by the commission thereafter,] one
2098 category denoted as "certified residential appraiser" and another
2099 denoted as "certified general appraiser". The commission may modify
2100 such categories of certification.

2101 ~~[(7)]~~ (8) "Commission" means the Connecticut Real Estate Appraisal
2102 Commission appointed under the provisions of section 20-502.

2103 ~~[(8)]~~ (9) "Commissioner" means the Commissioner of Consumer
2104 Protection.

2105 ~~[(9)]~~ (10) "Compliance manager" means a person who holds an
2106 appraiser certification in at least one state and [who] is responsible for
2107 overseeing the implementation of, and compliance with, procedures for
2108 an appraisal management company to:

2109 (A) Verify that a person being added to the appraiser panel of the
2110 appraisal management company holds a license in good standing in
2111 accordance with section 20-509;

2112 (B) Maintain detailed records of each appraisal request or order the
2113 appraisal management company receives and of the appraiser who
2114 performs such appraisal; and

2115 (C) Review on a periodic basis the work of all appraisers performing
2116 appraisals for the appraisal management company to ensure that such
2117 appraisals are being conducted in accordance with the USPAP.

2118 [(10)] (11) "Controlling person" means a person who has not had an
2119 appraiser license, [or a] similar license or appraiser certificate denied,
2120 refused [to be renewed] renewal, suspended or revoked in any state
2121 and; [who:]

2122 (A) Is [an owner, officer or director of a partnership,] a director,
2123 officer or owner of an association, corporation, limited liability company
2124 or [corporation] partnership offering or seeking to offer appraisal
2125 management services in this state;

2126 (B) Is employed by an appraisal management company and has the
2127 authority to enter into agreements or contracts [or agreements] for the
2128 performance of appraisal management services or appraisals, or is
2129 appointed or authorized by such appraisal management company to
2130 enter into such agreements or contracts; [or agreements;] or

2131 (C) May exercise authority over, or direct the management or policies
2132 of, an appraisal management company.

2133 [(11)] (12) "Engaging in the real estate appraisal business" means the
2134 act or process of estimating the value of real estate for a fee or other
2135 valuable consideration.

2136 (13) "Financial institution" means a bank, out-of-state bank or
2137 institutional lender, an affiliate or subsidiary of a bank, out-of-state bank
2138 or institutional lender or another lender licensed by the Department of
2139 Banking.

2140 [(12)] (14) "FIRREA" means the Financial Institutions, Reform,
2141 Recovery and Enforcement Act of 1989, P.L. 101-73, 103 Stat. 183.

2142 (15) "Out-of-state bank" has the same meaning as provided in section
2143 36a-2.

2144 [(13)] (16) "Person" means an individual.

2145 [(14)] (17) "Provisional appraiser" means a person engaged in the
2146 business of estimating the value of real estate for a fee or other valuable
2147 consideration under the supervision of a certified real estate appraiser
2148 and who meets the minimum requirements, if any, established by the
2149 commission by regulation for provisional appraiser status.

2150 [(15)] (18) "Provisional license" means a license issued to a provisional
2151 appraiser.

2152 [(16)] (19) "Real estate appraiser" or "appraiser" means a person
2153 engaged in the business of estimating the value of real estate for a fee or
2154 other valuable consideration.

2155 [(17)] (20) "USPAP" means the Uniform Standards of Professional
2156 Appraisal Practice issued by the Appraisal Standards Board of the
2157 Appraisal Foundation pursuant to Title XI of FIRREA.

2158 Sec. 44. Section 20-670 of the 2022 supplement to the general statutes
2159 is repealed and the following is substituted in lieu thereof (*Effective from*
2160 *passage*):

2161 As used in sections 20-670 to [20-680] 20-681, inclusive, as amended
2162 by this act, and section 45 of this act:

2163 (1) "Certificate" means a certificate of registration issued under
2164 section 20-672.

2165 (2) "Commissioner" means the Commissioner of Consumer
2166 Protection or any person designated by the commissioner to administer
2167 and enforce the provisions of sections 20-670 to [20-680] 20-681,
2168 inclusive, as amended by this act, and section 45 of this act.

2169 (3) "Companion services" means nonmedical, basic supervision

2170 services to ensure the safety and well-being [and safety] of a person in
2171 [such] the person's home.

2172 [(4) "Employee" means any person employed by, or who enters into
2173 a contract to perform services for, a homemaker-companion agency,
2174 including, but not limited to, temporary employees, pool employees
2175 and persons treated by such agency as independent contractors.]

2176 (4) "Covenant not to compete" means any agreement or contract that
2177 restricts the right of an individual to provide companion services, home
2178 health services or homemaker services (A) in any geographic area of the
2179 state for any period of time, or (B) to a specific individual.

2180 (5) "Comprehensive background check" means a background
2181 investigation of a prospective employee performed by a homemaker-
2182 companion agency, that includes [:] (A) [A] a review of any application
2183 materials prepared or requested by the homemaker-companion agency
2184 and completed by the prospective employee, [:] (B) an in-person or
2185 video-conference interview of the prospective employee, [:] (C)
2186 verification of the prospective employee's Social Security number, [:] (D)
2187 if the [position] prospective employee has applied for a position within
2188 the homemaker-companion agency that requires licensure on the part
2189 of [the] such prospective employee, verification that the required license
2190 is in good standing, [:] (E) a check of the registry established and
2191 maintained pursuant to section 54-257, [:] (F) a local and national
2192 criminal background check of criminal matters of public record based
2193 on the prospective employee's name and date of birth that includes a
2194 search of a multistate and multijurisdiction criminal record locator or
2195 other similar commercial nationwide database with validation, and a
2196 search of the United States Department of Justice National Sex Offender
2197 Public Website, conducted by a third-party consumer reporting agency
2198 or background screening company that is accredited by the Professional
2199 Background Screening Association and in compliance with the federal
2200 Fair Credit Reporting Act, [:] (G) if the prospective employee has resided
2201 in this state for less than three years prior to the date of [the] such
2202 prospective employee's application with the homemaker-companion

2203 agency, a review of criminal conviction information from the state or
2204 states where such prospective employee resided during such three-year
2205 period, [j] and (H) a review of any other information that the
2206 homemaker-companion agency deems necessary in order to evaluate
2207 the suitability of the prospective employee for the position.

2208 [(6) "Homemaker services" means nonmedical, supportive services
2209 that ensure a safe and healthy environment for a person in such person's
2210 home, such services to include assistance with personal hygiene,
2211 cooking, household cleaning, laundry and other household chores.]

2212 (6) "Employee" means any person employed by, or who enters into a
2213 contract to perform services for, a homemaker-companion agency,
2214 including, but not limited to, pool employees, temporary employees
2215 and persons the homemaker-companion agency treats as independent
2216 contractors.

2217 (7) (A) "Homemaker-companion agency" means [(A)] any (i) public
2218 or private organization that employs one or more persons and is
2219 engaged in the business of providing companion services or
2220 homemaker services, or [(B) any] (ii) registry.

2221 (B) "Homemaker-companion agency" [shall] does not include (i) a
2222 home health care agency, as defined in subsection (d) of section 19a-490,
2223 or (ii) a home health aide agency, as defined in subsection (e) of section
2224 19a-490.

2225 (8) "Homemaker services" means nonmedical and supportive
2226 services, including assistance with cooking, household cleaning,
2227 laundry, personal hygiene and other household chores, that ensure a
2228 healthy and safe environment for a person in the person's home.

2229 (9) "Immediate family member" means a child by adoption, blood or
2230 marriage or a grandchild, grandparent, parent, sibling or spouse.

2231 [(8)] (10) "Registry" means any person or entity engaged in the
2232 business of supplying or referring an individual to, or placing an

2233 individual with, a consumer for the purpose of enabling the individual
2234 to provide to the consumer companion services or homemaker [or
2235 companion services provided by such individual, when the] services,
2236 provided such individual [providing such services is either] is (A)
2237 directly compensated, in whole or in part, by the consumer, or (B)
2238 [treated, referred to or] considered, referred to or treated by such person
2239 or entity as an independent contractor.

2240 [(9)] (11) "Service plan" means a written document, provided by a
2241 homemaker-companion agency to a person utilizing companion
2242 services or homemaker services provided by such agency, that specifies
2243 the anticipated [scope, type, frequency and duration of homemaker or]
2244 duration, frequency, scope and type of the companion services or
2245 homemaker services that are to be provided by such agency for the
2246 benefit of [the] such person.

2247 Sec. 45. (NEW) (*Effective from passage*) (a) No person, other than an
2248 immediate family member, who is an agent, corporate officer or
2249 employee of a homemaker-companion agency, or has an ownership
2250 interest in a homemaker-companion agency, shall act as an agent under
2251 a power of attorney for any person who has contracted with the
2252 homemaker-companion agency to receive companion services or
2253 homemaker services.

2254 (b) A person receiving companion services or homemaker services
2255 may petition the Commissioner of Consumer Protection for an
2256 exemption from subsection (a) of this section, and the commissioner
2257 may grant such exemption for good cause shown.

2258 Sec. 46. Section 20-338d of the 2022 supplement to the general statutes
2259 is repealed and the following is substituted in lieu thereof (*Effective from*
2260 *passage*):

2261 (a) For the purposes of this section, "owner" and "private residence"
2262 have the same meanings as provided in section 20-419.

2263 [(a)] (b) No written contract to perform work on a private residence

2264 [, as defined in section 20-419,] by a contractor licensed pursuant to this
2265 chapter or any person who owns or controls a business engaged to
2266 provide the work or services licensed under the provisions of this
2267 chapter by persons licensed for such work, shall be valid or enforceable
2268 against an owner [, as defined in section 20-419,] unless [it: (1) Is in
2269 writing; (2) is] such contract: (1) Is signed by the owner and the
2270 contractor or business; [(3)] (2) contains the entire agreement between
2271 the owner and the contractor or business; [(4)] (3) contains the date of
2272 the transaction; [(5)] (4) contains the name and address of the contractor
2273 and the contractor's license number or, in the case of a business, the
2274 name of the business owner, partner or limited liability member and the
2275 phone number and address of the business, partnership or limited
2276 liability company; [(6)] (5) contains the name and license number of any
2277 licensees performing the work, provided the name and the license
2278 number of a licensee may be amended in writing during the term of the
2279 contract; [(7)] (6) contains a notice [of] disclosing the owner's
2280 cancellation rights in accordance with the provisions of chapter 740 and
2281 subject to the exception set forth in subsection (c) of this section; and
2282 [(8)] (7) contains a starting date and completion date.

2283 (c) Notwithstanding the provisions of chapter 740, no owner shall
2284 cancel a written contract that is subject to the provisions of subsection
2285 (b) of this section if: (1) Such contract was executed for the purpose of
2286 making emergency or immediate repairs that were necessary to protect
2287 persons, personal property or real property; and (2) prior to executing
2288 such contract, the owner provided to the contractor or business owner a
2289 written statement, dated and signed by the owner, describing the
2290 situation requiring such emergency or immediate repairs and expressly
2291 acknowledging that the owner waives the right to cancel such contract
2292 in accordance with the provisions of chapter 740.

2293 (d) Each contractor or business owner that enters into a written
2294 contract that is subject to the provisions of subsection (b) of this section
2295 shall deliver and provide to each owner who is a party to such contract,
2296 free of charge, a copy of such contract at the time such contract is
2297 executed. If such contract is amended, such contractor or business

2298 owner shall provide to each owner who is a party to such contract, free
2299 of charge, a copy of such amendment at the time such contract is
2300 amended.

2301 [(b)] (e) Each change in the terms and conditions of a written contract
2302 [specified in] that is subject to the provisions of subsection [(a)] (b) of
2303 this section shall be in writing and shall be signed by the owner and
2304 contractor or business, except that the commissioner may, by
2305 regulations adopted pursuant to chapter 54, dispense with the necessity
2306 for complying with such requirement.

2307 Sec. 47. Section 20-681 of the general statutes is repealed and the
2308 following is substituted in lieu thereof (*Effective from passage*):

2309 [For purposes of this section "covenant not to compete" means any
2310 contract or agreement that restricts the right of an individual to provide
2311 homemaker, companion or home health services (1) in any geographic
2312 area of the state for any period of time, or (2) to a specific individual.]
2313 Any covenant not to compete is against public policy and shall be void
2314 and unenforceable.

2315 Sec. 48. Subsection (c) of section 21a-10 of the 2022 supplement to the
2316 general statutes is repealed and the following is substituted in lieu
2317 thereof (*Effective from passage*):

2318 (c) For any Department of Consumer Protection license, certificate,
2319 registration or permit that requires the holder to complete continuing
2320 education requirements, the continuing education requirements shall be
2321 completed within the annual or biannual period that begins and ends
2322 three months prior to the renewal date for the applicable license,
2323 certificate, registration or permit, except for licenses issued pursuant to
2324 [chapter] chapters 389 and 400j.

2325 Sec. 49. Section 21a-151 of the general statutes is repealed and the
2326 following is substituted in lieu thereof (*Effective from passage*):

2327 For the purposes of this section and sections 21a-152 to [21a-160] 21a-

2328 159, inclusive, as amended by this act:

2329 (1) "Bakery" means a building or part of a building, including, but not
2330 limited to, a hotel, private institution, restaurant, establishment
2331 operating doughnut-frying equipment or other similar place, where
2332 bread, cakes, cookies, crackers, crullers, doughnuts, [crullers] macaroni,
2333 pies, [cookies, crackers,] spaghetti [, macaroni] or other food products,
2334 including, but not limited to, canned or frozen baked goods, are made,
2335 either wholly or in part of flour or meal, [including frozen or canned
2336 baked goods. "Bakery" includes, but is not limited to, any restaurant,
2337 hotel, private institution, establishment operating doughnut-frying
2338 equipment or other similar place that offers such food products] or
2339 offered for sale.

2340 (2) "Food manufacturing establishment" means a building or part of
2341 a building where food is [prepared] canned, cooked, cut, dehydrated,
2342 frozen, milled or repacked for sale to other establishments for human
2343 consumption. [For purposes of this subdivision, "prepared" means a
2344 process of canning, cooking, freezing, dehydrating, milling, repacking
2345 or cutting.] Premises that are used solely for the retail sale or storage of
2346 prepackaged food, and facilities, as described in sections 21a-24a and
2347 22-6r and chapters 417, 419a, 422, 423, 430, 431 and 491, shall not be
2348 considered food manufacturing establishments.

2349 (3) "Food warehouse" means a building or part of a building where
2350 food is stored for wholesale distribution, provided such building or part
2351 of such building is used primarily for the importation, storage or
2352 distribution of packaged food and not for other activities for which a
2353 license is required pursuant to section 21a-152, as amended by this act.
2354 Premises licensed pursuant to [said] section 21a-152, as amended by this
2355 act, and facilities, as described in sections 21a-24a and 22-6r and chapters
2356 417, 419a, 422, 423, 430, 431 and 491, shall not be considered food
2357 warehouses.

2358 (4) "Packaged food" means standard or random weight or volume
2359 packages of food commodities that are enclosed in a container or

2360 wrapped in any manner, in advance of wholesale or retail sale, such that
2361 the food commodities cannot be added to or subtracted from the
2362 package or wrapping without breaking or tearing the wrapping,
2363 container or seals on the wrapping or container.

2364 Sec. 50. Section 21a-152 of the general statutes is repealed and the
2365 following is substituted in lieu thereof (*Effective from passage*):

2366 (a) Each bakery, [food warehouse and] food manufacturing
2367 establishment and food warehouse shall be designed, constructed and
2368 operated as the Commissioner of Consumer Protection directs pursuant
2369 to sections 21a-151 to [21a-160] 21a-159, inclusive, as amended by this
2370 act, and chapter 418. [The provisions of this subsection requiring the
2371 commissioner to direct the design and construction of a food warehouse
2372 shall not be required for a food warehouse that was registered in good
2373 standing pursuant to section 21a-160 prior to October 1, 2019, provided
2374 the warehouse is in good repair so that stored food is properly protected
2375 and the premises is free of pests.] Each bakery, food manufacturing
2376 establishment and food warehouse [and food manufacturing
2377 establishment] remains subject to the provisions of chapter 418.

2378 (b) No [person, firm or] corporation, firm or person shall operate a
2379 bakery, food manufacturing establishment or food warehouse [or food
2380 manufacturing establishment] with the intent of producing or storing
2381 products for human consumption without having first obtained from
2382 [said commissioner] the Commissioner of Consumer Protection a
2383 license. [Application] Applications for such license shall be made on
2384 forms, furnished by the commissioner, showing the name and address
2385 of such bakery, food manufacturing establishment or food warehouse,
2386 [or food manufacturing establishment.] Bakeries shall show the number
2387 of persons engaged in the production of bread and pastry products,
2388 excluding [porters,] dishwashers, drivers, porters, sales personnel and
2389 other employees not directly engaged in such production. The
2390 commissioner shall cause an inspection to be [made] conducted of the
2391 premises described in the application and, if conditions are found
2392 satisfactory, issue such license. [shall be issued.] No corporation, firm or

2393 person [, firm or corporation] operating a bakery, food manufacturing
2394 establishment or food warehouse, or any agent, employee or servant [or
2395 employee] thereof, shall refuse, hinder or otherwise interfere with the
2396 commissioner's, or the commissioner's authorized representative's,
2397 access [by the commissioner or his authorized representative] to the
2398 bakery, food manufacturing establishment or food warehouse for the
2399 purpose of conducting an inspection. No corporation, firm or person [,
2400 firm or corporation] shall: (1) [sell] Sell or distribute bread, cakes,
2401 cookies, crackers, crullers, doughnuts, [crullers] macaroni, pies,
2402 [cookies, crackers,] spaghetti [, macaroni] or other food products,
2403 including frozen or canned baked goods, made in whole or in part of
2404 flour or meal, produced in any bakery located within or beyond the
2405 boundaries of this state; [,] (2) sell or distribute food produced in a food
2406 manufacturing establishment located within the boundaries of this
2407 state; [,] or (3) store any food for wholesale distribution in a food
2408 warehouse, unless such bakery, food manufacturing establishment or
2409 food warehouse [or food manufacturing establishment] has obtained a
2410 license from [said] the commissioner. Facilities licensed pursuant to
2411 chapter 417 as food vendors and frozen dessert vendors, and all facilities
2412 licensed pursuant to chapters 419a and 430, shall be exempt from such
2413 licensing requirement. The commissioner may promulgate regulations
2414 excepting out-of-state manufacturers of products [,] commonly known
2415 as brown bread, cookies, crackers [, brown bread] or plum puddings in
2416 hermetically sealed containers and other similar products [,] from the
2417 license provisions of this section. Such license shall be valid for one year
2418 and a fee [therefor] for such license shall be collected as follows: From a
2419 [person, firm or] corporation, firm or person owning or conducting a
2420 bakery in which there are not more than four persons [or fewer] engaged
2421 in the production of bread and pastry products, twenty dollars; in which
2422 there are [not fewer than] at least five [nor] but not more than nine
2423 persons so engaged, forty dollars; in which there are [not fewer than] at
2424 least ten [nor] but not more than twenty-four persons so engaged, one
2425 hundred dollars; in which there are [not fewer than] at least twenty-five
2426 [nor] but not more than ninety-nine persons so engaged, two hundred
2427 dollars; in which there are [more than] at least one hundred persons so

2428 engaged, two hundred fifty dollars. The fee for a food [manufacturer]
2429 manufacturing establishment or food warehouse license shall be twenty
2430 dollars annually. [No prior inspection by the commissioner shall be
2431 necessary for a food warehouse registered under section 21a-160 prior
2432 to October 1, 2019, which is required to transfer its registration to a new
2433 license under the provisions of this subsection.]

2434 (c) [A] The Commissioner of Consumer Protection may revoke a
2435 bakery, food manufacturing establishment or food warehouse [or food
2436 manufacturer license may be revoked by said commissioner] license for
2437 any violation of sections 21a-151 to [21a-160] 21a-159, inclusive, as
2438 amended by this act, after a hearing conducted in accordance with
2439 chapter 54. In addition, the commissioner may summarily suspend a
2440 bakery, [or food manufacturer] food manufacturing establishment or
2441 food warehouse license [may be summarily suspended] pending a
2442 hearing if [said] the commissioner has reason to believe that the public
2443 health, safety or welfare imperatively requires emergency action.
2444 [Within] Not later than ten days following the suspension order, [said]
2445 the commissioner shall cause to be held a hearing which shall be
2446 conducted in accordance with the provisions of [said] chapter 54.
2447 Following [said] such hearing, [said] the commissioner shall dissolve
2448 such suspension or order revocation of the bakery, food manufacturing
2449 establishment or food warehouse [or food manufacturer] license. Any
2450 [person, firm or] corporation, firm or person whose license has been
2451 revoked may [make application] apply for a new license and [said] the
2452 commissioner shall act on such application [within] not later than thirty
2453 days [of receipt] after the commissioner receives such application. The
2454 costs of any inspections necessary to determine whether or not an
2455 applicant, whose license has been revoked, is entitled to have a new
2456 license granted shall be borne by the applicant at such rates as the
2457 commissioner may determine. [Said] The commissioner may refuse to
2458 grant any bakery, food manufacturing establishment or food warehouse
2459 [or food manufacturer] a license if [he or she] the commissioner finds
2460 that the applicant has evidenced a pattern of noncompliance with the
2461 provisions of sections 21a-151 to [21a-160] 21a-159, inclusive, as

2462 amended by this act. Prima facie evidence of a pattern of noncompliance
2463 shall be established if [said] the commissioner shows that the applicant
2464 has had two or more bakery, food manufacturing establishment or food
2465 warehouse [or food manufacturer] licenses revoked.

2466 (d) All vehicles used in the transportation of bakery, food
2467 manufacturing establishment or food warehouse products shall be kept
2468 in a sanitary condition and shall have the name and address of the
2469 bakery, food manufacturing establishment or food warehouse owner,
2470 operator or distributor legibly printed on both sides. Each compartment
2471 in which unwrapped bakery, food manufacturing establishment or food
2472 warehouse products are transported shall be enclosed in a manner
2473 approved by the commissioner.

2474 (e) The provisions of this section shall not prevent local health
2475 authorities from enforcing orders or regulations concerning the sanitary
2476 condition of retail bakeries.

2477 (f) Any person who desires to obtain a license under the provisions
2478 of sections 21a-151 to [21a-160] 21a-159, inclusive, as amended by this
2479 act, shall first obtain and present to the [commissioner] Commissioner
2480 of Consumer Protection a certificate of approval of the location for
2481 which such license is desired. The certificate of approval shall be
2482 obtained from the zoning commission, planning and zoning
2483 commission or local authority of the town, city or borough in which the
2484 facility is located or is proposed to be located. [A] No certificate of
2485 approval shall [not] be required [in the case of the transfer of the last
2486 issued license from one person to another or in the case of a renewal of
2487 a license by the holder of the license] for a new license if the proposed
2488 use conforms to existing zoning requirements, for a license renewal by
2489 the license holder or for a transfer by the license holder to another
2490 person of the license most recently issued to such license holder. The
2491 commissioner shall not issue any license under the provisions of
2492 sections 21a-151 to [21a-160] 21a-159, inclusive, as amended by this act,
2493 for which a certificate of approval is required until such certificate of
2494 approval is obtained by the license applicant. [The provisions of this

2495 subsection requiring a certificate of approval from the zoning
2496 commission or other local authority shall not apply to any food
2497 warehouse that was registered in good standing pursuant to section 21a-
2498 160 prior to October 1, 2019.]

2499 Sec. 51. Section 21a-156 of the general statutes is repealed and the
2500 following is substituted in lieu thereof (*Effective from passage*):

2501 The commissioner shall, from time to time, after inquiry and public
2502 hearing, adopt and promulgate regulations to supplement and give full
2503 effect to the provisions of sections 21a-151 to [21a-160] 21a-159,
2504 inclusive, as amended by this act. Such regulations, among other things,
2505 may establish sanitary requirements pertaining to the manufacture and
2506 distribution of bread and pastry products. Such regulations may also
2507 cover provisions restricting the sale of dangerous, harmful and
2508 unwholesome bread and pastry products, the labeling of bread and
2509 pastry products, the inspection of bakeries, food manufacturing
2510 establishments and food warehouses and the establishment of costs for
2511 special inspections. The commissioner shall annually review the
2512 amounts of bakery, food manufacturing establishment and food
2513 warehouse license fees referred to in subsection (b) of section 21a-152,
2514 as amended by this act, and shall increase such fees in order to reflect
2515 the costs to the department of carrying out the provisions of sections
2516 21a-151 to [21a-160] 21a-159, inclusive, as amended by this act.

2517 Sec. 52. Section 21a-159 of the general statutes is repealed and the
2518 following is substituted in lieu thereof (*Effective from passage*):

2519 (a) Any person who violates any provision of sections 21a-151 to [21a-
2520 160] 21a-159, inclusive, as amended by this act, or any regulation made
2521 thereunder, or fails to comply with an order of the Commissioner of
2522 Consumer Protection, shall: (1) [for] For a first offense, be fined not more
2523 than two hundred fifty dollars; [,] and (2) for [any] each subsequent
2524 offense, be guilty of a class D misdemeanor.

2525 (b) The [commissioner] Commissioner of Consumer Protection may
2526 apply to the Superior Court for, and such court may [,] upon hearing

2527 and for cause shown [] grant, a temporary or permanent injunction
2528 enjoining any person from operating a bakery, food manufacturing
2529 establishment or food warehouse [or food manufacturing
2530 establishment] without a license issued in accordance with sections 21a-
2531 151 to [21a-160] 21a-159, inclusive, as amended by this act, irrespective
2532 of whether or not there exists an adequate remedy at law. The
2533 commissioner also may apply to the Superior Court for, and such court
2534 shall have jurisdiction to grant, a temporary restraining order pending
2535 a hearing. Such application for injunctive or other appropriate relief
2536 shall be brought by the Attorney General.

2537 (c) The Commissioner of Consumer Protection, after providing notice
2538 and conducting a hearing in accordance with the provisions of chapter
2539 54, may issue a warning citation to, or impose a civil penalty of not more
2540 than one hundred dollars for the first offense and not more than five
2541 hundred dollars for each subsequent offense on, any person who
2542 violates any provision of sections 21a-151 to [21a-160] 21a-159, inclusive,
2543 as amended by this act, or any regulation adopted pursuant to section
2544 21a-156, as amended by this act.

2545 Sec. 53. Subsection (a) of section 22-54u of the general statutes is
2546 repealed and the following is substituted in lieu thereof (*Effective from*
2547 *passage*):

2548 (a) The preparation, packaging, labeling and sale of honey and maple
2549 syrup produced in this state shall not be subject to the provisions of
2550 sections 21a-91 to 21a-120, inclusive, and sections 21a-151 to [21a-160]
2551 21a-159, inclusive, as amended by this act, and shall be under the
2552 licensing, inspection and enforcement authority of the Commissioner of
2553 Agriculture and the commissioner's authorized agents.

2554 Sec. 54. Section 21a-421bb of the 2022 supplement to the general
2555 statutes, as amended by section 9 of substitute house bill 5329 of the
2556 current session, as amended by House Amendment Schedule "A", is
2557 repealed and the following is substituted in lieu thereof (*Effective from*
2558 *passage*):

2559 (a) No person other than the holder of a cannabis establishment
2560 license issued by this state shall advertise any cannabis or services
2561 related to cannabis in this state.

2562 (b) Except as provided in subsection (d) of this section, cannabis
2563 establishments shall not:

2564 (1) Advertise, including, but not limited to, through a business name
2565 or logo, cannabis, cannabis paraphernalia or goods or services related to
2566 cannabis:

2567 (A) In ways that target or are designed to appeal to individuals under
2568 twenty-one years of age, including, but not limited to, spokespersons or
2569 celebrities who appeal to individuals under the legal age to purchase
2570 cannabis or cannabis products, depictions of a person under twenty-five
2571 years of age consuming cannabis, or, the inclusion of objects, such as
2572 toys, characters or cartoon characters, suggesting the presence of a
2573 person under twenty-one years of age, or any other depiction designed
2574 in any manner to be appealing to a person under twenty-one years of
2575 age; or

2576 (B) By using any image, or any other visual representation, of the
2577 cannabis plant or any part of the cannabis plant, including, but not
2578 limited to, the leaf of the cannabis plant;

2579 (2) Engage in any advertising by means of any form of billboard
2580 within one thousand five hundred feet of an elementary or secondary
2581 school ground or a house of worship, recreation center or facility, child
2582 care center, playground, public park or library, or engage in any
2583 advertising by means of an electronic or illuminated billboard between
2584 the hours of six o'clock a.m. and eleven o'clock p.m.;

2585 (3) Engage in advertising by means of any television, radio, Internet,
2586 mobile application, social media or other electronic communication,
2587 billboard or other outdoor signage, or print publication unless the
2588 cannabis establishment has reliable evidence that at least ninety per cent
2589 of the audience for the advertisement is reasonably expected to be

2590 twenty-one years of age or older;

2591 (4) Engage in advertising or marketing directed toward location-
2592 based devices, including, but not limited to, cellular phones, unless the
2593 marketing is a mobile device application installed on the device by the
2594 owner of the device who is twenty-one years of age or older and
2595 includes a permanent and easy opt-out feature and warnings that the
2596 use of cannabis is restricted to persons twenty-one years of age or older;

2597 (5) Advertise cannabis or cannabis products in a manner claiming or
2598 implying, or permit any employee of the cannabis establishment to
2599 claim or imply, that such products have curative or therapeutic effects,
2600 or that any other medical claim is true, or allow any employee to
2601 promote cannabis for a wellness purpose unless such claims are
2602 substantiated as set forth in regulations adopted under chapter 420f or
2603 verbally conveyed by a licensed pharmacist or other licensed medical
2604 practitioner in the course of business in, or while representing, a hybrid
2605 retail or dispensary facility;

2606 (6) Sponsor charitable, sports, musical, artistic, cultural, social or
2607 other similar events or advertising at, or in connection with, such an
2608 event unless the cannabis establishment has reliable evidence that (A)
2609 not more than ten per cent of the in-person audience at the event is
2610 reasonably expected to be under the legal age to purchase cannabis or
2611 cannabis products, and (B) not more than ten per cent of the audience
2612 that will watch, listen or participate in the event is expected to be under
2613 the legal age to purchase cannabis products;

2614 (7) Advertise cannabis, cannabis products or cannabis paraphernalia
2615 in any physical form visible to the public within [one thousand] five
2616 hundred feet of an elementary or secondary school ground or a [house
2617 of worship,] recreation center or facility, child care center, playground,
2618 public park or library;

2619 (8) Cultivate cannabis or manufacture cannabis products for
2620 distribution outside of this state in violation of federal law, advertise in
2621 any way that encourages the transportation of cannabis across state lines

2622 or otherwise encourages illegal activity;

2623 (9) Except for dispensary facilities and hybrid retailers, exhibit within
2624 or upon the outside of the facility used in the operation of a cannabis
2625 establishment, or include in any advertisement, the word "dispensary"
2626 or any variation of such term or any other words, displays or symbols
2627 indicating that such store, shop or place of business is a dispensary;

2628 (10) Exhibit within or upon the outside of the premises subject to the
2629 cannabis establishment license, or include in any advertisement the
2630 words "drug store", "pharmacy", "apothecary", "drug", "drugs" or
2631 "medicine shop" or any combination of such terms or any other words,
2632 displays or symbols indicating that such store, shop or place of business
2633 is a pharmacy;

2634 (11) Advertise on or in public or private vehicles or at bus stops, taxi
2635 stands, transportation waiting areas, train stations, airports or other
2636 similar transportation venues including, but not limited to, vinyl-
2637 wrapped vehicles or signs or logos on transportation vehicles not
2638 owned by a cannabis establishment;

2639 (12) Display cannabis, cannabis products or any image, or any other
2640 visual representation, of the cannabis plant or any part of the cannabis
2641 plant, including, but not limited to, the leaf of the cannabis plant, so as
2642 to be clearly visible to a person from the exterior of the facility used in
2643 the operation of a cannabis establishment, or display signs or other
2644 printed material advertising any brand or any kind of cannabis or
2645 cannabis product, or including any image, or any other visual
2646 representation, of the cannabis plant or any part of the cannabis plant,
2647 including, but not limited to, the leaf of the cannabis plant, on the
2648 exterior of any facility used in the operation of a cannabis establishment;

2649 (13) Utilize radio or loudspeaker, in a vehicle or in or outside of a
2650 facility used in the operation of a cannabis establishment, for the
2651 purposes of advertising the sale of cannabis or cannabis products; or

2652 (14) Operate any web site advertising or depicting cannabis, cannabis

2653 products or cannabis paraphernalia unless such web site verifies that
2654 the entrants or users are twenty-one years of age or older.

2655 (c) Except as provided in subsection (d) of this section, any
2656 advertisements from a cannabis establishment shall contain the
2657 following warning: "Do not use cannabis if you are under twenty-one
2658 years of age. Keep cannabis out of the reach of children." In a print or
2659 visual medium, such warning shall be conspicuous, easily legible and
2660 shall take up not less than ten per cent of the advertisement space. In an
2661 audio medium, such warning shall be at the same speed as the rest of
2662 the advertisement and be easily intelligible.

2663 (d) Any outdoor signage, including, but not limited to, any
2664 monument sign, pylon sign or wayfinding sign, shall be deemed to
2665 satisfy the audience requirement established in subdivision (3) of
2666 subsection (b) of this section, and shall not be required to contain the
2667 warning required under subsection (c) of this section, if such outdoor
2668 signage:

2669 (1) Contains only the name and logo of the cannabis establishment;

2670 (2) Does not include any image, or any other visual representation, of
2671 the cannabis plant or any part of the cannabis plant, including, but not
2672 limited to, the leaf of the cannabis plant;

2673 (3) Is comprised of not more than three colors; and

2674 (4) Is located:

2675 (A) On the cannabis establishment's premises, regardless of whether
2676 such cannabis establishment leases or owns such premises; or

2677 (B) On any commercial property occupied by multiple tenants
2678 including such cannabis establishment.

2679 (e) The department shall not register, and may require revision of,
2680 any submitted or registered cannabis brand name that:

2681 (1) Is identical to, or confusingly similar to, the name of an existing
 2682 non-cannabis product;

2683 (2) Is identical to, or confusingly similar to, the name of an unlawful
 2684 product or substance;

2685 (3) Is confusingly similar to the name of a previously approved
 2686 cannabis brand name;

2687 (4) Is obscene or indecent; and

2688 (5) Is customarily associated with persons under the age of twenty-
 2689 one.

2690 (f) A violation of the provisions of subsections (a) to (c), inclusive, of
 2691 this section shall be deemed to be an unfair or deceptive trade practice
 2692 under subsection (a) of section 42-110b.

2693 Sec. 55. Section 21a-160 of the general statutes is repealed. (*Effective*
 2694 *from passage*)

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-1
Sec. 2	<i>from passage</i>	New section
Sec. 3	<i>from passage</i>	30-19f(a) to (c)
Sec. 4	<i>from passage</i>	30-20
Sec. 5	<i>from passage</i>	30-46
Sec. 6	<i>from passage</i>	30-51a
Sec. 7	<i>from passage</i>	30-74(c)
Sec. 8	<i>from passage</i>	30-22a
Sec. 9	<i>from passage</i>	30-12
Sec. 10	<i>from passage</i>	30-14(a)
Sec. 11	<i>from passage</i>	30-16b
Sec. 12	<i>from passage</i>	30-22c(b)
Sec. 13	<i>from passage</i>	30-23a
Sec. 14	<i>from passage</i>	30-24
Sec. 15	<i>from passage</i>	30-24b
Sec. 16	<i>from passage</i>	30-25(a)

Sec. 17	<i>from passage</i>	30-39(b)
Sec. 18	<i>from passage</i>	30-45
Sec. 19	<i>from passage</i>	30-48(a)
Sec. 20	<i>from passage</i>	30-48a(c)
Sec. 21	<i>from passage</i>	30-53
Sec. 22	<i>from passage</i>	30-54
Sec. 23	<i>from passage</i>	30-91(a) to (e)
Sec. 24	<i>from passage</i>	30-22(e)
Sec. 25	<i>from passage</i>	30-22d
Sec. 26	<i>from passage</i>	30-22e(c)
Sec. 27	<i>from passage</i>	30-35b
Sec. 28	<i>from passage</i>	30-81
Sec. 29	<i>from passage</i>	30-90
Sec. 30	<i>from passage</i>	20-578
Sec. 31	<i>from passage</i>	20-621a(a)
Sec. 32	<i>from passage</i>	21a-248
Sec. 33	<i>from passage</i>	28-32
Sec. 34	<i>from passage</i>	21a-79
Sec. 35	<i>from passage</i>	21a-79b
Sec. 36	<i>from passage</i>	42-133ff
Sec. 37	<i>July 1, 2022</i>	New section
Sec. 38	<i>from passage</i>	16a-17
Sec. 39	<i>from passage</i>	16a-21(b)
Sec. 40	<i>from passage</i>	16a-23m(a)
Sec. 41	<i>from passage</i>	16a-23o
Sec. 42	<i>from passage</i>	20-334d
Sec. 43	<i>from passage</i>	20-500
Sec. 44	<i>from passage</i>	20-670
Sec. 45	<i>from passage</i>	New section
Sec. 46	<i>from passage</i>	20-338d
Sec. 47	<i>from passage</i>	20-681
Sec. 48	<i>from passage</i>	21a-10(c)
Sec. 49	<i>from passage</i>	21a-151
Sec. 50	<i>from passage</i>	21a-152
Sec. 51	<i>from passage</i>	21a-156
Sec. 52	<i>from passage</i>	21a-159
Sec. 53	<i>from passage</i>	22-54u(a)
Sec. 54	<i>from passage</i>	21a-421bb
Sec. 55	<i>from passage</i>	Repealer section

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 23 \$	FY 24 \$
Resources of the General Fund	GF - Revenue Impact	See Below	See Below
Consumer Protection, Dept.	Various - Potential Revenue Gain	See Below	See Below

Note: GF=General Fund; Various=Various

Municipal Impact: None

Explanation

The bill makes various changes to the consumer protection statutes resulting in the potential revenue impact described below.

- **Section 2** establishes a religious wine retailer¹ permit resulting in a potential revenue gain to the state to the extent the permit is applied for. It's anticipated this permit will generate less than ten applications.
- **Section 3** expands the in-state transporter's permit to allow one permit to cover boats and vehicles under common control, direction, or management resulting in a potential revenue loss to the extent fewer in-state transporter's permits are applied for. In FY 21 there were 80 in-state transporters permits.
- **Section 8** allows café permits in all airports rather than just in Bradley International Airport resulting in a potential revenue

¹ The annual fee for the religious wine retailer permit is \$250.

gain to the state if additional airports apply for café permits.

- **Sections 18-19** expands the list of exempted permits and allows certain permittees to obtain an additional permit resulting in a potential revenue gain to the extent additional permits are applied for.
- **Section 27** makes the provisional permit \$500 fee nonrefundable resulting in a potential revenue gain to the extent refunds would have been issued.
- **Section 37** allows the Commissioner of Consumer Protection to impose an additional civil penalty (up to \$500) for violations regarding credit card surcharge prohibitions resulting in a potential revenue gain to the Consumer Protection Enforcement Account to the extent violations occur and civil penalties are imposed.

The bill also makes various changes to consumer protection statute resulting in no fiscal impact to the state or municipalities.

House "A" eliminates one section and makes various cannabis advertising changes resulting in no fiscal impact to the state.

The Out Years

The annualized ongoing fiscal impact identified above would continue into the future subject to the number of permit applications and renewals and violations.

OLR Bill Analysis

sHB 5330 (as amended by House "A")*

AN ACT CONCERNING THE DEPARTMENT OF CONSUMER PROTECTION'S RECOMMENDATIONS REGARDING VARIOUS REVISIONS TO THE CONSUMER PROTECTION STATUTES.

TABLE OF CONTENTS:

TABLE OF CONTENTS:

SUMMARY

§ 1 – CASE BOTTLE QUANTITIES

Expands the numbers and quantities of bottles allowed in a case of alcoholic liquor

§§ 1, 8, 16-19 & 21 – BOATS

Eliminates the provision allowing prior boat permittees to be deemed in compliance with the cafe permit and allows an in-state transporter's permit the same rights and privileges under current law as these cafe permits

§§ 2 & 23 – RELIGIOUS WINE RETAILER PERMIT

Establishes a religious wine retailer permit that allows permittees to make retail sales of sacramental wine to religious organizations

§ 3 — IN-STATE TRANSPORTER PERMIT FOR ALCOHOLIC LIQUOR

Allows an in-state transporter's permittee to have one permit to cover all their boats and vehicles under common control, direction, or management

§§ 4, 5 & 7— CURBSIDE PICKUP OF ALCOHOLIC LIQUOR

Allows package store and grocery store beer permittees to allow curbside pick-up of previously purchased alcoholic liquor

§§ 6, 9-10 & 12 – TECHNICAL CHANGES

Makes various technical changes

§§ 8 & 25 – THIRD-PARTY FOOD DELIVERY

Deems food delivery through a third-party as satisfying the requirement that cafe and Connecticut craft cafe permittees keep food available for sale

§ 8 – CAFE PERMITS IN AIRPORTS

Allows additional airports to receive cafe permits for on premises alcohol sales

§§ 11, 13-16, 20 & 23 – CLUB AND NONPROFIT CLUB PERMITS

Makes various minor, technical, and conforming changes to implement changes from PA 21-10 that reestablished the club and nonprofit club permits; until June 5, 2024, allows these

permittees to sell and deliver alcoholic liquor for off-premises consumption subject to specified conditions

§§ 17 & 26 — PLACARDING EXEMPTIONS

Exempts off-site farm winery sales and wine, cider, and mead tasting permits; out-of-state retailer shipper's permits for wine; out-of-state winery shipper's permits for wine; in-state transporter's permits; and seasonal outdoor open-air permits from certain notification and placarding requirements

§ 17 — BUILDING, FIRE, ZONING, AND HOUR EXEMPTION

Expands the exemption for providing proof that certain local requirements will be met

§ 18 — EXEMPTION TO THE MANDATORY REFUSAL OF PERMITS FOR CERTAIN INDIVIDUALS

Expands the list of cafe permits that are excluded from the mandatory liquor permit refusal law

§ 19 — HOLDING TWO PERMITS

Allows a backer or permittee of an airline permit and an in-state transporter's permit for a boat to be a backer or permittee of another permit class

§ 22 — AIRLINE PERMITS

Exempts airline permittees from having their permit or a duplicate framed and hung in plain view

§ 24 — RESTAURANT SPACE

Specifies that a dining room must have at least 400 square feet of dining space and seating for 20 individuals when there is no effective separation

§ 27 — PROVISIONAL PERMIT FEES NONREFUNDABLE

Requires a provisional permit application to be sworn rather than affirmed and makes the 90-day provisional permit nonrefundable

§ 28 — MINORS EMPLOYED IN CAFES

Specifically allows minors (under age 21) to be employed in any premises with a cafe permit

§ 30 — DISCLOSURE OF IDENTIFYING INFORMATION

Generally extends to information collected under the state's medical marijuana and controlled substance registration laws existing law's protections against the public disclosure of identifying information

§ 31 — AUTOMATED PRESCRIPTION DISPENSING MACHINES

Expands the definition of "long-term care pharmacy" to additionally allow registered non-resident pharmacies to use automated prescription dispensing machines in nursing homes

§ 32 — ELECTRONIC ORDERS FOR CONTROLLED SUBSTANCES

Authorizes manufacturers and wholesalers to accept electronic orders for schedule II controlled substances

§ 33 — TRANSFERS DURING EMERGENCIES

During a declared emergency, authorizes pharmacies and other registrants to transfer a medical device to another pharmacy, registrant or DCP-approved location

§§ 34 & 35 — GET ONE FREE

Specifies that in instances when a retailer fails to redeem a coupon or remove a limited time reduced price sign, the retailer must give the consumer the product at the reduced price rather than for free

§ 36 — CREDIT CARD SURCHARGE PROHIBITION

Makes various changes to the prohibition on credit card surcharges, including exempting certain governmental agencies, requiring additional disclosures when there is a minimum transaction amount or cash discount offer, and deeming violations under the bill as violations under CUTPA and allowing the DCP commissioner to assess additional penalties

§ 37 — INVOICES AND WORK ORDERS FOR WORK ON A PRIVATE RESIDENCE

Requires licensed tradespeople and businesses performing work on private residences to include certain information in invoices or work orders for completed work and services

§§ 38-41 — CONSUMER HEATING FUEL DEALERS

Expands the prohibition against consumer heating fuel dealers denying fuel deliveries while a consumer complaint before DCP is pending by extending it to deliveries (1) year-round and (2) for fuel for cooking or power generation

§ 42 — CONTINUING EDUCATION FOR ELECTRICIANS AND PLUMBERS

Authorizes electricians and plumbers to take required continuing education online; establishes requirements (e.g., class size and location) for continuing education

§ 43 — APPRAISAL MANAGEMENT COMPANIES (AMC)

Makes a minor change to address a federal audit of the AMC laws

§§ 44-45 & 47 — HOMEMAKER-COMPANION AGENCIES

Generally prohibits anyone associated with a homemaker-companion agency, other than a client's immediate family member, from serving as the client's agent under a power of attorney

§ 46 — CONTRACTS FOR WORK ON PRIVATE RESIDENCES

Eliminates a requirement that contracts for work on private residential property by licensed tradespeople be in writing; requires written contracts to be provided to the property owner when they are executed or amended; specifies the conditions under which a property owner can cancel a contract for emergency repairs

§ 48 — CONTINUING EDUCATION DEADLINE FOR ACCOUNTANTS

Makes a conforming change to reflect a law that generally requires public accountants to complete their continuing education by June 30

§ 49-54 — FOOD WAREHOUSES, BAKERIES, AND FOOD MANUFACTURING ESTABLISHMENTS

Makes various minor and conforming changes to generally subject food warehouses, bakeries, and food manufacturing establishments to the same laws; eliminates the requirement that applicants obtain a certificate of zoning approval if the proposed use conforms to existing zoning requirements; expands DCP's authority to issue regulations

§ 55 — CANNABIS ADVERTISING

Eliminates the increase, under sHB 5329, as amended by House "A," in the minimum distance required for certain cannabis advertisements from certain buildings; instead prohibits billboard advertising within 1,500 feet of these same buildings

SUMMARY

This bill makes various changes in the Department of Consumer Protection (DCP) statutes, including:

1. making various changes in the Liquor Control Act, including establishing a religious wine retailer permit, allowing certain curbside alcohol pickup, and making certain minor, technical, and conforming changes (§§ 1-29);
2. generally extending to information collected under the state's medical marijuana and controlled substance registration laws protections against the public disclosure of identifying information (§ 30);
3. making various changes in the pharmacy and controlled substances laws, including (a) allowing DCP-registered non-resident pharmacies to use automated prescription dispensing machines in nursing homes and (b) authorizing controlled substances manufacturers and wholesalers to accept electronic orders for schedule II controlled substances (§§ 30-33);
4. specifying that retailers must give the consumer the product at the reduced price rather than for free in certain circumstances (§§ 34-35);
5. making various changes to the prohibition on credit card surcharges, including exempting certain governmental agencies, and requiring additional disclosures (§ 36);
6. making various changes in the laws regulating licensed tradespeople, including requiring them to include certain information in invoices or work orders when working on private residences (§§ 37, 42, 46 & 48);
7. expanding the prohibition against consumer heating fuel dealers denying fuel deliveries while a consumer complaint is pending

before DCP (§ 39);

8. generally prohibiting anyone associated with a homemaker-companion agency, other than a client's immediate family member, from serving as the client's agent under a power of attorney (§ 45);
9. generally subjecting food warehouses, bakeries, and food manufacturing establishments to the same laws (§§ 49-54); and
10. eliminating the increase, under sHB 5329, as amended by House "A," in the minimum distance required for certain cannabis advertisements from certain buildings and instead prohibiting billboard advertising within 1,500 feet of these same buildings (§ 55).

*House Amendment "A" eliminates a provision on flavoring agents used in prescriptions and adds the provision on cannabis advertising.

EFFECTIVE DATE: Upon passage, except the provisions on tradespeople's invoices or work orders (§ 38) is effective July 1, 2022.

§ 1 – CASE BOTTLE QUANTITIES

Expands the numbers and quantities of bottles allowed in a case of alcoholic liquor

Existing law establishes the quantity and number of bottles generally allowed in a case of alcoholic liquor (other than beer, cocktails, cordials, prepared mixed drinks, and wines). The bill expands the allowable quantities and numbers of bottles to include those shown in the following table.

Additional Case Bottle Quantities Allowed Under the Bill

Quantity	Bottle Size (mL)
6	1,800

12	700
12	720
12	900

§§ 1, 8, 16-19 & 21 – BOATS

Eliminates the provision allowing prior boat permittees to be deemed in compliance with the cafe permit and allows an in-state transporter's permit the same rights and privileges under current law as these cafe permits

PA 19-24, among other things, combined various permits for on-premises alcohol consumption into the cafe permit, including the boat permit. PA 21-11, among other things, allowed an in-state transporter's permittee for alcoholic liquor, with DCP approval, to sell and serve alcoholic liquor (e.g., beer, wine, and spirits) for consumption on boats hired to transport passengers. The bill eliminates the provision allowing prior boat permittees to be deemed in compliance with the cafe permit and instead provides boats operating under an in-state transporter's permit the same rights and privileges under current law as these cafe permits.

The bill defines "boat," as any vessel that (1) operates on any Connecticut waterway, and (2) engages in transporting passengers for hire to or from any Connecticut port.

§§ 2 & 23 – RELIGIOUS WINE RETAILER PERMIT

Establishes a religious wine retailer permit that allows permittees to make retail sales of sacramental wine to religious organizations

The bill establishes a religious wine retailer permit, which allows the holder to import and sell at retail, sacramental wine to religious organizations. Under the bill, "sacramental wine" is wine used exclusively for religious or sacramental purposes and exempt from state alcoholic beverages tax under state regulations (Conn. Agencies Regs., § 12-449-9a). A "religious organization" is (1) any religious corporation, society, or organization formed or recognized under state law (chapter 598) or (2) any religious organization that is exempt from the state alcoholic beverages tax.

The sacramental wine must not be consumed on the permit premises and any wine sale must only take place during permissible hours (i.e., Monday through Saturday, from 8:00 a.m. to 10:00 p.m., and Sundays, from 10:00 a.m. to 6:00 p.m. Permittees cannot sell or dispense alcohol on Thanksgiving Day, New Year's Day, or Christmas Day).

The bill requires the permittee to operate at least one retail location in Connecticut, be primarily engaged in the business of selling religious supplies that do not contain alcohol, and not hold any other alcoholic liquor permit. The annual fee for a religious wine retail permit is \$250.

Under the bill, a permittee may purchase sacramental wine directly from a manufacturer, out-of-state shipper, or wholesaler. All wine shipments must be conspicuously labeled "for sacramental or religious purposes only." If the permittee imports a supply of any sacramental wine brand directly from a manufacturer or out-of-state shipper into the state, the brand does not need to comply with state registration and price filing requirements.

§ 3 — IN-STATE TRANSPORTER PERMIT FOR ALCOHOLIC LIQUOR

Allows an in-state transporter's permittee to have one permit to cover all their boats and vehicles under common control, direction, or management

PA 21-11 allowed an in-state transporter's permittee for alcoholic liquor, with DCP approval, to sell and serve alcoholic liquor for consumption on boats hired to transport passengers and motor vehicles in livery services (e.g., limousines). Under current law, one permit covers all boats and vehicles under common ownership. The bill expands this provision to also allow one permit to cover boats and vehicles under common control, direction, or management.

§§ 4, 5 & 7— CURBSIDE PICKUP OF ALCOHOLIC LIQUOR

Allows package store and grocery store beer permittees to allow curbside pick-up of previously purchased alcoholic liquor

The bill allows package store and grocery store beer permittees to allow curbside pick-up of previously purchased alcoholic liquor (e.g., spirits, wine, and beer) by (1) the consumer who purchased the alcoholic

liquor or (2) an in-state transporter's permittee or his or her agent. The curbside pick-up must be limited to the space immediately adjacent to, or in the parking lot abutting, the permit premises. The permittees may allow the curbside pick-up during the hours a package store or grocery store is allowed to sell alcoholic liquor, unless a more restrictive municipal ordinance limits the pick-up hours. The bill explicitly excludes curbside pick-ups from provisions in existing law that prohibit drive-up sales of alcoholic liquor.

§§ 6, 9-10 & 12 – TECHNICAL CHANGES

Makes various technical changes

The bill makes various technical changes.

§§ 8 & 25 – THIRD-PARTY FOOD DELIVERY

Deems food delivery through a third-party as satisfying the requirement that cafe and Connecticut craft cafe permittees keep food available for sale

By law, cafe and Connecticut craft cafe permittees must keep food available for sale for the majority of the hours they are open, which may include outside vendors located on or near the premises. The bill allows food delivery through a third-party to satisfy the food requirement.

§ 8 – CAFE PERMITS IN AIRPORTS

Allows additional airports to receive cafe permits for on premises alcohol sales

The bill allows cafe permits to be issued in any airport rather than just in the Bradley International Airport. As under existing law, the location must be in a passenger terminal complex, or adjacent to the complex and attached by a common partition that is open to the public or airline club members or their guests, with or without food sales.

§§ 11, 13-16, 20 & 23 – CLUB AND NONPROFIT CLUB PERMITS

Makes various minor, technical, and conforming changes to implement changes from PA 21-10 that reestablished the club and nonprofit club permits; until June 5, 2024, allows these permittees to sell and deliver alcoholic liquor for off-premises consumption subject to specified conditions

Technical and Conforming Changes

PA 21-10 reestablished the club and nonprofit club alcoholic liquor permits and eliminated prior provisions that allowed these permittees

to receive a cafe permit. PA 19-24, among other things, combined various permits for on-premises alcohol consumption into the cafe permit, including the club and nonprofit club permits. The bill makes various minor, technical, and conforming changes to implement the changes from both of these acts.

Off-premises Consumption Sales and Deliveries

Existing law allows manufacturers, hotels, restaurants, and certain cafe permittees, until June 5, 2024, to sell and deliver sealed alcoholic liquor (e.g., beer, wine, or spirits) for off-premises consumption. The bill extends this same authorization to club and nonprofit permittees, subject to the same conditions that apply to these other permittees under existing law. This includes requirements that the:

1. alcoholic liquor sold for off-premises consumption be accompanied by food prepared on the permit premises;
2. sales be consistent with all local ordinances where the premises is located;
3. any container other than the manufacturer's original sealed container be securely sealed in a way that prevents consumption without removing the tamper-evident lid, cap, or seal;
4. sales and deliveries be made (a) only during the hours package stores may operate under state law and (b) by the permittee's direct employee (or a third-party vendor or entity that holds an in-state transporter permit); and
5. sales comply with specified per-customer, per-order limits (i.e., 196 ounces for beer, one liter for spirits, and 1.5 liters for wine).

§§ 17 & 26 – PLACARDING EXEMPTIONS

Exempts off-site farm winery sales and wine, cider, and mead tasting permits; out-of-state retailer shipper's permits for wine; out-of-state winery shipper's permits for wine; in-state transporter's permits; and seasonal outdoor open-air permits from certain notification and placarding requirements

By law, liquor permit applicants are generally required to give notice

of a new permit in the newspaper and place placards visible from the road that include certain information, such as the business's name and location. The bill exempts applicants for the following permits from these placarding requirements for both new permits and renewals: off-site farm winery sales and wine, cider, and mead tasting permits; out-of-state retailer shipper's permits for wine; out-of-state winery shipper's permits for wine; in-state transporter's permits, including boats operating under this permit; and seasonal outdoor open-air permits.

§ 17 – BUILDING, FIRE, ZONING, AND HOUR EXEMPTION

Expands the exemption for providing proof that certain local requirements will be met

By law, liquor applicants are generally required to submit documents sufficient to establish that state and local building, fire, and zoning requirements and local ordinances concerning hours and days of sale will be met. Current law exempts prior airport permits deemed in compliance with a cafe permit from these requirements. The bill expands the exemption to prior railroad permittees deemed in compliance with a cafe permit.

§ 18 – EXEMPTION TO THE MANDATORY REFUSAL OF PERMITS FOR CERTAIN INDIVIDUALS

Expands the list of cafe permits that are excluded from the mandatory liquor permit refusal law

Existing law generally requires DCP to refuse liquor permits to certain individuals (e.g., state marshals and judges), except for specified permit types (e.g., out-of-state shipper's and airline permits). The bill expands the list of exempted permits to include all cafe permits, rather than just cafe permits for special outing facilities.

§ 19 – HOLDING TWO PERMITS

Allows a backer or permittee of an airline permit and an in-state transporter's permit for a boat to be a backer or permittee of another permit class

By law, with certain exceptions, permittees of one class are not allowed to be a permittee of another class (CGS § 30-48(a)).

The bill allows backers and permittees for airline permits and boats operating under in-state transporter's permits to be a holder or backer

of one or more other classes of permits. It also allows in-state transporter's permittees to hold a seasonal outdoor open-air permit.

§ 22 – AIRLINE PERMITS

Exempts airline permittees from having their permit or a duplicate framed and hung in plain view

The bill exempts airline permittees from having their permit or a duplicate framed and hung in plain view in a conspicuous place in any room where sales are allowed and carried on. By law, an airline permit allows airlines to sell or dispense alcohol for consumption to passengers while in transit on any aircraft that is operated regularly (CGS § 30-28a).

§ 24 – RESTAURANT SPACE

Specifies that a dining room must have at least 400 square feet of dining space and seating for 20 individuals when there is no effective separation

The bill specifies that, for purposes of a restaurant permit, a dining room must have at least 400 square feet of dining space and seating for 20 individuals in the dining room, even if the space has no effective separation between the barroom and dining room. By regulation, restaurants are already required to have this square footage and seating capacity (Conn. Agencies Regs., § 30-6-B28).

§ 27 – PROVISIONAL PERMIT FEES NONREFUNDABLE

Requires a provisional permit application to be sworn rather than affirmed and makes the 90-day provisional permit nonrefundable

Under current law, DCP or the Liquor Control Commission may issue a 90-day provisional permit to an applicant or backer who has, among other things, submitted an affirmed application. The bill instead requires the applicant to make a sworn application. The bill also makes the provisional permit's \$500 fee nonrefundable.

§ 28 – MINORS EMPLOYED IN CAFES

Specifically allows minors (under age 21) to be employed in any premises with a cafe permit

The law generally allows anyone over age 16 to be employed by an alcoholic liquor permittee, except individuals must be at least age 18 to serve or sell alcohol (CGS § 30-90a). The café permit laws, however,

currently prohibit minors (under age 21) from being employed in any capacity on any premises operating under a cafe permit. The bill eliminates this prohibition, thus specifically allowing minors to be employed on a cafe permit's premises, subject to the age and liquor handling restrictions that generally apply to alcoholic liquor permittees.

§ 30 — DISCLOSURE OF IDENTIFYING INFORMATION

Generally extends to information collected under the state's medical marijuana and controlled substance registration laws existing law's protections against the public disclosure of identifying information

The bill extends, to include information collected under the state's medical marijuana and controlled substance registration laws (e.g., filings and inspection reports), a law that generally prohibits DCP, the Pharmacy Commission, and the Department of Public Health, from publicly disclosing information that allows the identification of individuals or institutions. Under existing law unchanged by the bill, exceptions include disclosure (1) during a proceeding involving licensure or the right to practice and (2) that the DCP commissioner deems to be in the interest of public health.

§ 31— AUTOMATED PRESCRIPTION DISPENSING MACHINES

Expands the definition of "long-term care pharmacy" to additionally allow registered non-resident pharmacies to use automated prescription dispensing machines in nursing homes

The bill expands an authorization to use automated prescription dispensing machines in nursing homes to DCP-registered non-resident pharmacies.

Automated prescription dispensing machines are pharmacy-operated machines and associated software through which the operators, based on a verified prescription, package and label patient specific medications that are dispensed by the machine. By law, a registered nurse or a licensed practical nurse must administer the dispensed medication packets.

§ 32 — ELECTRONIC ORDERS FOR CONTROLLED SUBSTANCES

Authorizes manufacturers and wholesalers to accept electronic orders for schedule II controlled substances

Consistent with federal law, the bill authorizes controlled substances manufacturers and wholesalers to accept electronic orders for schedule II controlled substances, if the orders are submitted through the Drug Enforcement Agency's Controlled Substance Ordering System. Currently, under state law, for schedule II drugs, manufacturers and wholesalers are only permitted to accept written orders.

The bill correspondingly eliminates a requirement that an order for a schedule I or II drug be in writing and signed in triplicate (federal rules similarly eliminated the triplicate form system in 2021).

§ 33 — TRANSFERS DURING EMERGENCIES

During a declared emergency, authorizes pharmacies and other registrants to transfer a medical device to another pharmacy, registrant or DCP-approved location

As is already the law for drugs and controlled drugs during a declared emergency, the bill authorizes pharmacies and other controlled substances registrants to transfer a medical device, if permissible under federal law and with prior DCP commissioner approval, to (1) another pharmacy or registrant or (2) another location the commissioner authorizes. Registrants must accurately record the transfer as state and federal law require and report it in writing to the DCP commissioner. The bill's authorization applies to emergencies declared by the governor or his authorized representative.

The bill defines medical devices as apparatuses, contrivances, and instruments, including their accessories, components, and parts, intended (1) for curing, diagnosing, mitigating, preventing, or treating a human or animal disease, or (2) to affect the structure or function of the human or an animal body.

§§ 34 & 35 — GET ONE FREE

Specifies that in instances when a retailer fails to redeem a coupon or remove a limited time reduced price sign, the retailer must give the consumer the product at the reduced price rather than for free

By law, consumers are generally entitled to receive an item for free, up to a \$20 value, if the (1) electronically scanned price is higher than the posted price or (2) price at the point of sale is higher than the

advertised or posted price. Consistent with agency practice, the bill specifies that in instances where a person, association, corporation, firm, or partnership (i.e., retailer) fails to redeem a digital or paper coupon or remove a limited time reduced price sign, the retailer must give the consumer the item (including fruits or vegetables weighed at point of sale) at the reduced price rather than free of cost.

Under the bill, if a retailer fails to redeem a coupon, the retailer must give the consumer a refund equal to the coupon's value. In cases where a retailer fails to remove a limited time reduced price sign, the retailer must give the reduced price to consumers if the sign is next to the consumer commodity, even if the time period for the reduced price has expired.

As under existing law, these provisions apply only to stores with retail sales areas of more than 10,000 square feet. The DCP commissioner, after providing notice and conducting a hearing, may issue violators a warning citation or impose civil penalties ranging from \$100 to \$1,000.

By law, a consumer commodity is any food (including those that are weighed), drug, device, cosmetic, product, or commodity of any other class, except prescription drugs, that is customarily produced for retail sale for individual consumption, personal care, or household purposes and is usually consumed or expended during consumption or use. It does not include alcoholic liquor or carbonated soft drink containers (CGS §§ 21a-73 & - 79b).

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

§ 36 — CREDIT CARD SURCHARGE PROHIBITION

Makes various changes to the prohibition on credit card surcharges, including exempting certain governmental agencies, requiring additional disclosures when there is a minimum transaction amount or cash discount offer, and deeming violations under the bill as violations under CUTPA and allowing the DCP commissioner to assess additional penalties

The bill makes various changes to the prohibition on surcharges. It:

1. exempts certain governmental agencies,
2. extends provisions applying to credit cards to also apply to charge cards,
3. requires additional disclosures when there is a minimum transaction amount or cash discount offer,
4. defines previously undefined terms,
5. eliminates a requirement that sellers accept certain trade name bank cards,
6. expands the prohibition on reducing commission paid to an agent because a credit card was used to pay,
7. deems violations an unfair or deceptive trade practice and allows the DCP commissioner to impose additional civil penalties, and
8. allows the DCP commissioner to adopt regulations to implement these provisions.

The bill also makes various minor, technical, and conforming changes

Transactions

Current law prohibits sellers from imposing a surcharge on a buyer who chooses to use any form of payment, including cash, check, credit card, or other means in any sales transaction. The bill expands this provision to prohibit any person from imposing a surcharge on any transaction. Under the bill, a “surcharge” is any additional charge or fee that increases the transaction’s total amount for the privilege of using a particular form of payment.

Under the bill, a “person” means any natural person, corporation, incorporated or unincorporated association, limited liability company, partnership, trust, or other legal entity. “Transaction” means distribution by one person to another person of any service, or the lease, rental, or sale by one person of any tangible or intangible personal, real,

or mixed property, or any other article, commodity, or thing of value to another person, for a certain price.

The bill specifically exempts certain governmental charges from its requirements. "Transaction" does not include payment of any:

1. fees, costs, fines, or other charges to a state agency authorized by the Office of Policy and Management secretary (CGS § 1-1j);
2. taxes, penalties, interest, and fees allowed by the revenue services commissioner (CGS § 12-39r);
3. taxes, penalties, interest and fees, or other charges, to a municipality (CGS § 12-141a);
4. fees, costs, fines, or other charges to the judicial branch (CGS § 51-193b); or
5. amounts pursuant to any other provision of the general statutes or regulation of Connecticut state agencies.

Minimum Transaction Amount

As under current law, if a person (e.g., seller) requires a minimum transaction amount to use a credit card, the person must disclose the requirement in writing or orally. The bill extends this requirement to charge cards.

Additionally, the bill requires the written disclosure to be clearly and conspicuously posted on the person's premises if the person conducts in-person transactions. Current law only requires sellers to disclose the minimum transaction amount in writing at the point of purchase (e.g., at or on a cash register, an advertisement, or menu).

Current law requires a seller to disclose the minimum purchase policy orally. The bill specifies that it must be done before completing any oral transaction, including telephone transactions.

The bill also requires the person to display the notice clearly and

conspicuously on the Internet website or digital payment application before any online transaction or transaction processed by the digital payment application is completed.

A "charge card" means any card, device, or instrument that (1) is issued, with or without a fee, to a holder and requires the holder to pay the full outstanding balance due at the end of each standard billing cycle the issuer established, and (2) the holder uses in a transaction to receive services or lease, purchase, or rent tangible or intangible personal, real or mixed property, or any other article, commodity, or thing of value. It also includes any software application that (1) is used to store a digital form of the card, device, or instrument, and (2) may be used in a transaction to receive these services or lease, purchase, or rent the property, article, commodity, or thing.

Cash Discount

Under current law, a seller may offer a discount to encourage a cash, check, debit card, or similar payment over a credit card payment. The bill also allows sellers to offer discounts to encourage these payments over charge card payments. The bill requires anyone offering this discount to post notice of it in-store, online, or orally in the same way as the minimum transaction policy (see above).

Definitions

The bill defines several previously undefined terms.

Under the bill, "credit card" (1) means any card, device, or instrument that (a) is issued, with or without a fee, to a holder, and (b) may be used by the holder in a transaction to receive services or lease, purchase, or rent tangible or intangible personal, real or mixed property, or any other article, commodity, or thing of value on credit, regardless of whether the card, device, or instrument is known as a credit card, credit plate, or by any other name. It includes any software application that (1) is used to store a digital form of such card, device, or instrument, and (2) may be used in a transaction to receive such services or lease, purchase, or rent any such property, article, commodity, or thing on credit.

“Debit card” means any card, code, device, or other means of access, or any combination thereof, that (1) is authorized or issued for use to debit an asset account held, directly or indirectly, by a financial institution, and (2) may be used in a transaction to receive services or lease, purchase, or rent tangible or intangible personal, real or mixed property, or any other article, commodity, or thing of value regardless of whether the card, code, device, means, or combination is known as a debit card. It includes (1) any software application that is used to store a digital form of such card, code, device, or other means of access, or any combination thereof, that may be used in a transaction to receive such services or lease, purchase, or rent any such property, article, commodity, or thing, and (2) any cards, codes, devices, or other means of access, or any combination thereof, commonly known as automated teller machine cards and payroll cards. A “debit card” does not mean (1) a check, draft, or similar paper instrument, or (2) any electronic representation of such check, draft, or instrument.

Trade Name Bank Credit Card

The bill eliminates a provision that requires any seller who accepts or offers to accept a bank credit card bearing a trade name as payment to accept any bank credit card with the tradename a cardholder presents, regardless of the card issuer’s identity.

Prohibition on Reducing Commission

The bill expands to additional industries, current law’s prohibition on reducing the amount of commission paid to a travel agent because a credit card was used to pay. The bill expands this prohibition to any agent, which is anyone who (1) arranges for the distribution of services by another person, or (2) leases, rents, or sells tangible or intangible personal, real or mixed property, or any other article, commodity, or thing of value, on behalf of another person. Under the bill, the prohibition also applies to charge card transactions.

Violations

Under the bill, any violation of these provisions is deemed an unfair or deceptive trade practice (CUTPA). Under current law, only violations

of provision prohibiting reducing commission are CUTPA violations.

The bill also allows the DCP commissioner to impose an additional civil penalty of up to \$500 per violation. Civil penalty payments must be deposited into the consumer protection enforcement account.

By law, CUTPA prohibits businesses from engaging in unfair and deceptive acts or practices. It allows the DCP commissioner to issue regulations defining an unfair trade practice, investigate complaints, issue cease and desist orders, order restitution in cases involving less than \$10,000, enter into consent agreements, ask the attorney general to seek injunctive relief, and accept voluntary statements of compliance. It also allows individuals to sue. Courts may issue restraining orders; award actual and punitive damages, costs, and reasonable attorney's fees; and impose civil penalties of up to \$5,000 for willful violations and up to \$25,000 for a restraining order violation.

§ 37 — INVOICES AND WORK ORDERS FOR WORK ON A PRIVATE RESIDENCE

Requires licensed tradespeople and businesses performing work on private residences to include certain information in invoices or work orders for completed work and services

The bill requires certain tradespeople and businesses performing work on private residences to include the following information on invoices or work orders for completed work and services:

1. the legal name and license number of the licensed contractor or the responsible licensed contractor of record;
2. the name of each licensee who performed work;
3. the contractor's address or, in the case of a business, the business's address and phone number; and
4. a description of the work or services performed, including the dates it was done and the labor and material costs.

Under the bill, these requirements do not apply to invoices or work orders that are signed by consumers and, therefore, are a contract.

The bill's requirement applies to work performed on private residences (generally one-to-six unit residential properties and condominium or common interest communities of any size) by a licensed contractor in the elevator installation, repair, and maintenance; fire protection sprinkler systems; flat glass work; gas hearth; heating, piping, and cooling; irrigation; plumbing and piping; residential stair lift; sheet metal; solar; swimming pool; and electrical fields. It also applies to the people who own or control businesses that perform work or provide services to these residences through the same licensed tradespeople.

§§ 38-41 — CONSUMER HEATING FUEL DEALERS

Expands the prohibition against consumer heating fuel dealers denying fuel deliveries while a consumer complaint before DCP is pending by extending it to deliveries (1) year-round and (2) for fuel for cooking or power generation

Existing law establishes conditions under which a heating fuel dealer who owns a residential tank and has exclusive fill requirements is barred from refusing to make fuel deliveries to a consumer because of a complaint DCP is mediating or investigating. Currently, these dealers are barred from refusing deliveries from October 1 to March 31 if the (1) dealer is the only supplier and (2) consumer pays cash upon delivery. The bill eliminates the seasonal nature of the ban, making it apply year-round.

The bill also appears to expand this prohibition to deliveries of fuel used for cooking or power generation. However, the bill does not change existing laws to incorporate the broader range of covered fuels, dealers, and consumers. (Existing law, unchanged by the bill, defines "consumer" as a purchaser of fuel used as the primary source of residential heat or domestic hot water. Similarly, the bill applies to "heating fuel dealers," which are defined under existing law as dealers of petroleum-based fuels that are used as the primary source of residential heat or domestic hot water. Because these terms do not capture buyers and sellers of cooking or power generation fuels, it is unclear whether the bill will capture transactions involving cooking or power generation fuel deliveries.)

The bill also makes numerous technical and conforming changes.

§ 42 — CONTINUING EDUCATION FOR ELECTRICIANS AND PLUMBERS

Authorizes electricians and plumbers to take required continuing education online; establishes requirements (e.g., class size and location) for continuing education

Current regulations require continuing education (CE) for tradespeople in the electrical and plumbing and piping fields to be conducted in a classroom-style facility and prohibit correspondence courses (Conn. Agencies Regs. § 20-334d-1). The bill broadens the types of CE courses that may be offered to include online courses that (1) include real-time video with audio, (2) require participants to periodically confirm their active engagement, and (3) allow participants to interact with instructors in real time during the entire CE session.

The bill also establishes additional requirements for these in-person and online CE courses. Under the bill, the courses must:

1. be limited to 50 attendees if offered in-person, and 25 attendees if online; and
2. not be offered or held at a licensed plumbing or electrical contractor's place of business if the course is for plumbers or electricians, respectively, and offered in-person.

Under the bill, CE providers must (1) retain an audio-visual recording of their online or in-person course for at least 30 days and (2) make the recordings available at DCP's request.

The bill also makes technical and conforming changes.

§ 43 — APPRAISAL MANAGEMENT COMPANIES (AMC)

Makes a minor change to address a federal audit of the AMC laws

The bill makes a minor change to the definition of AMC to address a federal audit recommendation. Currently, the definition of AMC excludes a financial institution's department or unit that (1) is regulated by a Connecticut or federal agency and (2) only receives appraisal

requests from the financial institution's employees. The bill repeals this qualification and instead specifies that AMCs exclude departments or divisions of an entity providing appraisal management services exclusively to that entity.

Under existing law unchanged by the bill, the following are also not considered AMCs:

1. an appraiser that enters into an agreement with another appraiser to perform an appraisal, if the appraisal is signed by both appraisers upon completion;
2. an AMC that is a subsidiary owned and controlled by a financial institution regulated by a federal financial institution regulatory agency (i.e., a bank, out-of-state bank, or institutional lender (or any of their subsidiaries or affiliates) or another lender licensed by the Department of Banking); and
3. any local, state, or federal agency or department.

The bill also makes a number technical and conforming changes.

§§ 44-45 & 47 — HOMEMAKER-COMPANION AGENCIES

Generally prohibits anyone associated with a homemaker-companion agency, other than a client's immediate family member, from serving as the client's agent under a power of attorney

The bill prohibits homemaker-companion agencies' owners, agents, corporate officers, and employees (other than a client's immediate family member) from serving as a client's agent under a power of attorney. The client may petition the DCP commissioner for an exemption, which may be granted for good cause shown.

The bill defines "immediate family member" as a child by adoption, blood, or marriage; grandchild; grandparent; parent; sibling; or spouse.

The bill also makes technical and conforming changes.

§ 46 — CONTRACTS FOR WORK ON PRIVATE RESIDENCES

Eliminates a requirement that contracts for work on private residential property by licensed tradespeople be in writing; requires written contracts to be provided to the property owner when they are executed or amended; specifies the conditions under which a property owner can cancel a contract for emergency repairs

Applicable Contracts

The bill makes several changes to a law enacted in 2021 that requires contracts for work on private residential property by licensed tradespeople to meet certain specifications in order to be valid or enforceable against the owner. Specifically, the bill:

1. limits the application of this law to written contracts only, excluding oral contracts between a property owner and contractor (or employing business) and
2. requires contractors (or the employing businesses) that enter into these written contracts to deliver and give to each owner who is a party to the contract a copy of it when it is executed or amended, for free.

As under existing law, the bill's provisions apply to work performed by a licensed contractor in the elevator installation, repair, and maintenance; fire protection sprinkler systems; flat glass work; gas hearth; heating, piping, and cooling; irrigation; plumbing and piping; residential star lift; sheet metal; solar; swimming pool; and electrical fields. It applies to work on private residences, which are generally one-to-six unit residential properties and condominium or common interest communities of any size.

Emergency or Immediate Repairs

The bill specifies that an owner's cancellation rights under the Home Solicitation Sales Act do not apply when:

1. a written contract was executed for the purpose of making emergency or immediate repairs that were necessary to protect people or real or personal property; and
2. prior to executing the written contract, the owner gave the contractor (or employing business) a written, signed, and dated

statement (a) describing the situation requiring emergency or immediate repairs and (b) expressly waiving the right to cancel the contract under the Home Solicitation Sales Act.

The bill's provisions supersede those in the Home Solicitation Sales Act that exempt a transaction from the Act's coverage if the consumer (1) initiates the transaction to resolve a personal emergency and (2) gives the seller a separate handwritten, signed, and dated description of the emergency and expressly waives his or her cancellation rights.

The bill requires the portion of a written contract between a contractor (or employing business) and a property owner that discloses an owner's cancellation rights under the Home Solicitation Sales Act to include notice that those rights are subject to the bill's emergency repair exception.

§ 48 — CONTINUING EDUCATION DEADLINE FOR ACCOUNTANTS

Makes a conforming change to reflect a law that generally requires public accountants to complete their continuing education by June 30

Generally, the law requires DCP credential holders to complete their required CE at least three months before the credential's annual or biennial renewal date. But another existing law specifically requires certified public accountants to complete their annual CE by June 30 or face higher renewal fees (CGS § 20-281d).

The bill makes a conforming change to explicitly exempt public accountants from the general rule.

§ 49-54 — FOOD WAREHOUSES, BAKERIES, AND FOOD MANUFACTURING ESTABLISHMENTS

Makes various minor and conforming changes to generally subject food warehouses, bakeries, and food manufacturing establishments to the same laws; eliminates the requirement that applicants obtain a certificate of zoning approval if the proposed use conforms to existing zoning requirements; expands DCP's authority to issue regulations

The bill makes several minor and conforming changes to uniformly regulate bakeries, food warehouses, and food manufacturing establishments. Specifically, it:

1. subjects food manufacturing establishments to the same vehicle and transporting requirements applicable to bakeries and food warehouses (e.g., requiring that the vehicles be kept in a sanitary condition and have enclosed compartments in which unwrapped products are transported);
2. authorizes the DCP commissioner to summarily suspend a food warehouse license pending a hearing if she believes emergency action is necessary, just as existing law allows for bakery and food manufacturing licenses; and
3. expands DCP's authority to issue regulations to include regulations on (a) inspecting food warehouses and manufacturing establishments and (b) adjusting license fees for food manufacturing establishments.

Applicants for a new bakery, food warehouse, or food manufacturing establishment license must provide to DCP a certificate of zoning compliance for the proposed location. The bill exempts them from this requirement if the proposed use conforms to the municipality's existing zoning requirements (presumably, the applicant will attest to this). Current law exempts only food warehouses that were registered in good standing before October 2019. By law, unchanged by the bill, no certificate is required for license renewals or transfers.

Grandfathered Food Warehouses

The bill also reestablishes the DCP commissioner's authority to direct the design and construction of specified food warehouses. Current law exempts food warehouses from this oversight if they were registered in good standing before October 2019, in good repair, free of pests, and store food properly. The bill eliminates this exemption, presumably, subjecting these warehouses to the commissioner's authority when they are being expanded or modified. It also reestablishes the commissioner's authority to inspect a warehouse before issuing a license, even if the warehouse was registered before October 2019 and transferred its registration to a new license.

The bill also makes a number technical and conforming changes.

§ 55 – CANNABIS ADVERTISING

Eliminates the increase, under sHB 5329, as amended by House “A,” in the minimum distance required for certain cannabis advertisements from certain buildings; instead prohibits billboard advertising within 1,500 feet of these same buildings

sHB 5329 (§ 8), as amended by House “A” and passed by the House, among other things, increases the minimum distance, from 500 to 1,500 feet, needed to advertise cannabis or cannabis products or paraphernalia in any physical form visible to the public from certain buildings (i.e., elementary or secondary school grounds, houses of worship, recreation centers or facilities, child care centers, playgrounds, public parks, or libraries). The bill eliminates this increase.

Instead, the bill prohibits cannabis establishments from advertising on any billboard within 1,500 feet of the buildings listed above.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 18 Nay 0 (03/15/2022)