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## OLR Bill Analysis

**sSB 905 (File 207, as amended by Senate "A")\***

### ***AN ACT CONCERNING ALCOHOLIC LIQUOR AND TOBACCO BARS.***

#### **SUMMARY**

This bill allows additional tobacco bars to allow smoking indoors, including e-cigarettes. It does so by allowing a tobacco bar that holds an alcoholic liquor cafe permit that began operations between January 1, 2003, and December 31, 2022, to do so under certain conditions (e.g., generated at least 60% of the tobacco bar's total annual gross sales from tobacco products). It also (1) allows tobacco bars to expand in size or change locations, which current law prohibits, and (2) prohibits smoking cigarettes or using chewing tobacco in these additional establishments.

Under current law, a Connecticut craft cafe permittee may only purchase for resale on its premises, alcoholic liquor from other manufacturer permittees. The bill additionally allows these permittees to purchase the alcohol from wholesaler permittees with distribution rights to the alcohol.

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

\*Senate Amendment "A" (1) removes the temporary auction permit, outdoor open-air permit, cocktail keg, beer or wine pipeline cleaning, farmers' market sales permit, festival permit, fire inspections, liquor cooler tax, and liquor liability insurance study provisions from the underlying bill; (2) narrows the definition of "tobacco product"; (3) modifies the criteria to qualify as a tobacco bar; (4) adds the provision on Connecticut cafe permits; and (5) makes other minor and technical changes.

EFFECTIVE DATE: October 1, 2023, except the Connecticut craft cafe provision is effective July 1, 2023.

## **TOBACCO BARS**

Current law only allows indoor smoking in tobacco bars with an alcoholic liquor permit that generated at least 10% of their total annual gross income from on-site tobacco product sales and on-site humidor rentals in 2002; with indoor vaping allowed based on sales from 2015.

The bill modifies the requirement for indoor vaping by requiring that minimum sales be based on 2002 instead of 2015. It also specifies that tobacco bars must have a cafe permit instead of an unspecified alcoholic liquor permit, as under current law.

Additionally, under current law, a “tobacco product” is any substance that contains tobacco, including cigarettes, cigars, pipe tobacco, or chewing tobacco, and does not include cannabis. The bill instead narrows it to only be cigars and pipe tobacco, by eliminating cigarettes or chewing tobacco.

The bill allows a tobacco bar that holds a cafe permit that began operations between January 1, 2003, and December 31, 2022, to allow indoor smoking or vaping if it:

1. generated at least 60% of its total annual gross sales from tobacco products as determined by an independent certified public accountant;
2. is located in a municipality with a population of at least 80,000 and no other tobacco bar;
3. does not allow cigarettes or cigarette tobacco on the premises;
4. contains a walk-in humidor as a built-in feature on the premises;
5. is located in a building that (a) no other owner-occupant, lessee, or tenant has a right to possess or (b) uses the tobacco bar’s own heating, ventilation, or air conditioning system to prevent the commingling of air;

6. is located in premises equipped with a ventilation system that (a) provides local mechanical exhaust with no recirculation, (b) circulates at least 60 cubic feet of outdoor air per person per minute to provide adequate indoor air quality, and (c) satisfies the requirements established in ANSI/ASHRAE 62-2001, “ventilation for acceptable indoor air quality”; and
7. provides health coverage to the tobacco bar’s employees and their dependents under another applicable law, such as the federal Patient Protection and Affordable Care Act, (P.L. 111-148), as amended by the Health Care and Education Reconciliation Act (P.L. 111-152).

If these conditions are met, the bill deems these bars in compliance with the cafe permit requirements.

**COMMITTEE ACTION**

General Law Committee

Joint Favorable Substitute

Yea 22 Nay 0 (03/07/2023)

Finance, Revenue and Bonding Committee

Joint Favorable

Yea 51 Nay 0 (05/02/2023)