



General Assembly

**Amendment**

February Session, 2024

LCO No. 4017



Offered by:  
REP. LINEHAN, 103<sup>rd</sup> Dist.

To: House Bill No. 5261

File No. 37

Cal. No. 58

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

1 Strike everything after the enacting clause and substitute the  
2 following in lieu thereof:

3 "Section 1. (*Effective from passage*) (a) For the purposes of this section,  
4 "energy drink" means a soft drink that contains (1) not less than eighty  
5 milligrams of caffeine per nine fluid ounces, and (2) methylxanthines, B  
6 vitamins, one or more herbal ingredients or an ingredient labeled  
7 "energy blend", and "social media" has the same meaning as provided  
8 in section 9-601 of the general statutes.

9 (b) There is established a working group to (1) study the (A) medical  
10 risks associated with energy drink consumption by children, and (B)  
11 anticipated effects of a prohibition on the sale of energy drinks to  
12 children on (i) the state-wide sale of energy drinks, and (ii) public health,  
13 and (2) make recommendations for (A) a public awareness campaign  
14 concerning such risks, that includes, but is not limited to, a video  
15 recording for publication or broadcast on television and social media,

16 (B) notice to be posted at the point of sale of energy drinks in retail  
17 establishments alerting consumers to such risks, and (C) a one-page  
18 document explaining such risks.

19 (c) The working group shall include, but not be limited to, the  
20 following members, who shall be selected jointly by the Commissioners  
21 of Public Health and Consumer Protection: (1) One or more members of  
22 the joint standing committee of the General Assembly having  
23 cognizance of matters relating to children, (2) an individual with  
24 expertise in advertising and marketing, (3) a parent or guardian of a  
25 child who experienced adverse health conditions or died due to the  
26 consumption of energy drinks, (4) a pediatric cardiologist, (5) a  
27 representative of a state-wide chapter of a national association of  
28 pediatricians, (6) a representative of a state-wide governing body for  
29 interscholastic athletic activities, and (7) a representative of the  
30 Connecticut Children's Medical Center. The commissioners, or their  
31 designees, shall serve as cochairpersons of the working group. The  
32 administrative staff of the joint standing committee of the General  
33 Assembly having cognizance of matters relating to children shall serve  
34 as administrative staff of the task force.

35 (d) Not later than November 1, 2024, the working group shall submit  
36 a report on its study and recommendations to the joint standing  
37 committees of the General Assembly having cognizance of matters  
38 relating to children, public health and consumer protection in  
39 accordance with the provisions of section 11-4a of the general statutes.

40 Sec. 2. (NEW) (*Effective July 1, 2024*) (a) For the purposes of this  
41 section, "energy drink" means a soft drink that contains (1) not less than  
42 eighty milligrams of caffeine per nine fluid ounces, and (2)  
43 methylxanthines, B vitamins, one or more herbal ingredients or an  
44 ingredient labeled "energy blend".

45 (b) Not later than December 1, 2024, the Department of Consumer  
46 Protection shall develop signage alerting consumers to the medical risks  
47 associated with energy drink consumption by children and make a copy

48 of such signage available on the department's Internet web site. Such  
49 signage shall incorporate the recommendations submitted by the  
50 working group established pursuant to section 1 of this act.

51 (c) On and after January 1, 2025, each individual, firm, fiduciary,  
52 partnership, corporation, limited liability company, trust or association  
53 engaged in the business of selling energy drinks to retail consumers in  
54 the state shall post a copy of the notice developed pursuant to subsection  
55 (b) of this section in a conspicuous place at the point of sale of such  
56 energy drinks.

57 Sec. 3. (NEW) (*Effective July 1, 2024*) Not later than January 1, 2025,  
58 the Department of Public Health shall develop a one-page document  
59 explaining the medical risks associated with energy drink consumption  
60 by children, and make a copy of such document available on the  
61 department's Internet web site. Such document shall incorporate the  
62 recommendations submitted by the working group established  
63 pursuant to section 1 of this act. For the purposes of this section, "energy  
64 drink" means a soft drink that contains (1) not less than eighty  
65 milligrams of caffeine per nine fluid ounces, and (2) methylxanthines, B  
66 vitamins, one or more herbal ingredients or an ingredient labeled  
67 "energy blend".

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	New section
Sec. 2	<i>July 1, 2024</i>	New section
Sec. 3	<i>July 1, 2024</i>	New section