



General Assembly

Amendment

January Session, 2019

LCO No. 10333



Offered by:
REP. PERILLO, 113th Dist.

To: Subst. Senate Bill No. 647 File No. 592 Cal. No.

(As Amended)

"AN ACT STREAMLINING THE LIQUOR CONTROL ACT."

1 Strike subsection (d) of section 5 in its entirety and substitute the
2 following in lieu thereof:

3 "(d) (1) A manufacturer permit for cider and mead shall allow the
4 manufacture of cider not exceeding six per cent alcohol by volume,
5 apple wine not exceeding fifteen per cent alcohol by volume, apple
6 brandy, eau-de-vie and mead and the storage, bottling and wholesale
7 distribution and sale of cider not exceeding six per cent alcohol by
8 volume, apple wine not exceeding fifteen per cent alcohol by volume,
9 apple brandy, eau-de-vie and mead manufactured or bottled by the
10 permit holder to permittees in this state and without the state as may
11 be permitted by law; but no such permit shall be granted unless the
12 place or the plan of the place of manufacture has received the approval
13 of the Department of Consumer Protection.

14 (2) Such permit shall, at a single principal premises, authorize (A)

15 the sale in bulk by the holder thereof from the premises where the
16 products are manufactured pursuant to such permit; (B) as to a
17 manufacturer who produces one hundred thousand gallons or less per
18 year of products manufactured pursuant to such permit, the sale and
19 shipment by the holder thereof to a retailer of such products
20 manufactured by the permittee in the original sealed containers of not
21 more than fifteen gallons per container; (C) the sale and shipment by
22 the holder thereof of such products manufactured by the permittee to
23 persons outside the state; (D) the offering and tasting of free samples
24 of such products, dispensed out of bottles or containers having
25 capacities of not more than two gallons per bottle or container, to
26 visitors and prospective retail customers for consumption on the
27 premises of the permittee; (E) subject to the provisions of subsection
28 (d) of section 30-91, as amended by this act, the sale at retail from the
29 premises of sealed bottles or other sealed containers of such products
30 for consumption off the premises; (F) the sale at retail from the
31 premises of such products by the glass and bottle to visitors on the
32 premises of the permittee for consumption on the premises; and (G)
33 subject to the provisions of subdivision (3) of this subsection, the sale
34 and delivery or shipment of such products manufactured by the
35 permittee directly to a consumer in this state. Notwithstanding the
36 provisions of subparagraphs (D), (E) and (F) of this subdivision, a
37 town may, by ordinance or zoning regulation, prohibit any such
38 offering, tasting or selling at retail at premises within such town for
39 which a manufacturer permit has been issued.

40 (3) A permittee, when selling and shipping a product produced
41 pursuant to this permit, directly to a consumer in this state, shall: (A)
42 Ensure that the shipping labels on all containers of such products
43 shipped directly to a consumer in this state conspicuously state the
44 following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON
45 AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (B) obtain the
46 signature of a person age twenty-one or older at the address prior to
47 delivery, after requiring the signer to demonstrate that he or she is age
48 twenty-one or older by providing a valid motor vehicle operator's

49 license or a valid identity card described in section 1-1h; (C) not ship
50 more than five gallons of product produced pursuant to this permit in
51 any two-month period to any person in this state; (D) pay, to the
52 Department of Revenue Services, all sales taxes and alcoholic beverage
53 taxes due under chapters 219 and 220 on sales of products produced
54 pursuant to this permit to consumers in this state, and file, with said
55 department, all sales tax returns and alcoholic beverage tax returns
56 relating to such sales; (E) report to the Department of Consumer
57 Protection a separate and complete record of all sales and shipments to
58 consumers in the state, on a ledger sheet or similar form which readily
59 presents a chronological account of such permittee's dealings with
60 each such consumer; (F) not ship to any address in the state where the
61 sale of alcoholic liquor is prohibited by local option pursuant to section
62 30-9; and (G) hold an in-state transporter's permit pursuant to section
63 30-19f, as amended by this act, or make any such shipment through the
64 use of a person who holds such an in-state transporter's permit.

65 (4) No holder of a manufacturer permit for cider and mead may sell
66 any product not manufactured by such permit holder, except such
67 permittee may sell from the premises (A) cider not exceeding six per
68 cent alcohol by volume, apple wine not exceeding fifteen per cent
69 alcohol by volume, apple brandy and eau-de-vie and mead
70 manufactured by another such permit holder located in this state, and
71 (B) brandy manufactured from fruit harvested in this state and
72 distilled off the premises in this state.

73 (5) A holder of a manufacturer permit for cider and mead, when
74 advertising or offering products for direct shipment to a consumer in
75 this state via the Internet or any other on-line computer network, shall
76 clearly and conspicuously state such liquor permit number in its
77 advertising.

78 (6) A holder of a manufacturer permit for cider and mead may sell
79 and offer free tastings of products produced pursuant to such permit
80 that are manufactured by such permit holder at a farmers' market, as
81 defined in section 22-6r, that is operated as a nonprofit enterprise or

82 association, provided such farmers' market invites such holder to sell
83 such products at such farmers' market and such holder has a farmers'
84 market sales permit issued by the Commissioner of Consumer
85 Protection in accordance with the provisions of subsection (a) of
86 section 30-37o, as amended by this act.

87 (7) The annual fee for a manufacturer permit for cider and mead
88 shall be two hundred dollars."

89 After subdivision (7) of subsection (d) of section 5, insert the
90 following:

91 "(e) A manufacturer permit for wine shall allow the manufacture of
92 wine and the storage, bottling and wholesale distribution and sale of
93 wine manufactured or bottled by the permit holder to permittees in
94 this state and without the state as may be permitted by law, but no
95 such permit shall be granted unless the place or the plan of the place of
96 manufacture has received the approval of the Department of
97 Consumer Protection. No holder of a manufacturer permit for wine
98 may sell any wine not manufactured by such permit holder. The
99 annual fee for a manufacturer permit for wine shall be one thousand
100 eight hundred fifty dollar."

101 Strike subsection (a) of section 10 in its entirety and substitute the
102 following in lieu thereof:

103 "(a) The Commissioner of Consumer Protection shall issue an off-
104 site farm winery sales and cider and mead tasting permit to a holder of
105 a manufacturer permit for a farm winery or to a holder of a
106 manufacturer permit for cider and mead upon the holder's submission
107 of proof to the commissioner that the holder is in compliance with the
108 requirements of subsection [(e)] (c) or (d) of section 30-16, as amended
109 by this act. An off-site farm winery sales and cider and mead tasting
110 permit shall authorize the sale and offering of free samples of [wine]
111 products manufactured [from the farm winery] by such permittees
112 during a total of not more than seven events or functions per year held
113 pursuant to a temporary liquor permit issued pursuant to section 30-

114 35, a charitable organization permit issued pursuant to section 30-37b
115 or a nonprofit corporation permit issued pursuant to section 30-37h, at
116 locations outside the [manufacturer] permit [for a farm winery]
117 holder's permit premises, provided such holder: (1) Notifies the
118 Department of Consumer Protection, on a form prescribed by the
119 Commissioner of Consumer Protection, not less than five business
120 days prior to the date of the event or function, of the date, hours and
121 location of each event or function, (2) sells only wine, cider and mead
122 by the bottle at the event or function, and (3) is present, or has an
123 authorized representative present, at the time of the sale of any [bottle
124 of wine] such bottles or the offering of a free sample of [wine] such
125 products from the [farm winery] permit holder at the event or
126 function. An off-site farm winery sales and cider and mead tasting
127 permit shall be valid for a period of one year from the date of issuance.
128 The annual fee for such permit shall be two hundred fifty dollars.
129 There shall be a one-hundred-dollar nonrefundable filing fee for any
130 such permit."

131 Strike subsection (b) of section 11 in its entirety and substitute the
132 following in lieu thereof:

133 "(b) No person, corporation, trust, partnership, incorporated or
134 unincorporated association, and any other legal entity except: (1) The
135 holder of an out-of-state shipper's permit issued pursuant to section
136 30-18 or 30-19; (2) the holder of a manufacturer's permit issued
137 pursuant to section 30-16, as amended by this act, other than the
138 holder of a [manufacturer's] manufacturer permit for a farm winery or
139 a manufacturer permit for cider and mead; and (3) the holder of a
140 wholesaler's permit issued pursuant to section 30-17 shall transport
141 any alcoholic beverages imported into this state unless such person
142 holds an in-state transporter's permit and the tax imposed on such
143 alcoholic liquor by section 12-435, as amended by this act, has been
144 paid and, if applicable, the tax imposed on the sale of such alcoholic
145 liquor pursuant to chapter 219 has been paid."

146 Strike section 13 in its entirety and substitute the following in lieu

147 thereof:

148 "Sec. 13. (a) A wine festival permit shall allow the holder of a
149 manufacturer permit for a farm winery or for the holder of a
150 manufacturer permit for cider and mead, issued pursuant to section
151 30-16, as amended by this act, to participate in a wine festival
152 organized and sponsored by an association that promotes the
153 manufacturing and selling of [farm] wine in this state or such
154 association's not-for-profit subsidiary. Such association or such
155 association's not-for-profit subsidiary shall not organize and sponsor
156 more than two such wine festivals in any calendar year. The
157 Commissioner of Consumer Protection shall allow only two such wine
158 festivals in any calendar year, regardless of the number of such [farm
159 winery] permittees or such organizing and sponsoring associations or
160 not-for-profit subsidiaries participating in such wine festivals.

161 (b) A wine festival permit shall authorize: (1) The sale and shipment
162 of wine manufactured by [the farm winery permittee] such permittees
163 and sold at such wine festival to persons outside the state; (2) the
164 offering and tasting of free samples of wine to visitors and prospective
165 retail customers for consumption on the grounds of the wine festival;
166 (3) the sale at retail of sealed bottles or other sealed containers of wine
167 for consumption off the grounds of the wine festival; and (4) the sale at
168 retail of wine by the glass or receptacle, provided the glass or
169 receptacle is embossed or otherwise permanently labeled with the
170 name and date of the wine festival.

171 (c) No farm winery or cider and mead manufacturer permittee may
172 sell, offer or give to any person or entity wine not manufactured by
173 such [farm winery] permittee.

174 (d) Only two wine festival permits may be issued per calendar year
175 pursuant to this section by the Commissioner of Consumer Protection
176 to each holder of a manufacturer permit for a farm winery or a
177 manufacturer permit for cider and mead. A wine festival permit shall
178 not be effective for more than three consecutive days per calendar

179 year. The fee for a wine festival permit shall be seventy-five dollars."

180 Strike subsection (a) of section 15 in its entirety and substitute the
181 following in lieu thereof:

182 "(a) The Commissioner of Consumer Protection shall issue a
183 farmers' market [wine] sales permit to a holder of a manufacturer
184 permit for a farm winery, the holder of a manufacturer permit for cider
185 and mead or the holder of a manufacturer permit for beer, upon
186 submission of proof to the commissioner that such holder is in
187 compliance with the applicable permit requirements of subsection [(e)]
188 (b), (c) or (d) of section 30-16, as amended by this act. Such permit shall
189 authorize the sale of [wine] products manufactured [from] by such
190 [farm winery] permittees during an unlimited number of appearances
191 at a farmers' market at not more than ten farmers' market locations per
192 year provided such holder: (1) Has an invitation from such farmers'
193 market to sell [wine] such products at such farmers' market, (2) only
194 sells [wine] such products by the bottle or sealed container at such
195 farmers' markets, and (3) is present, or has an authorized
196 representative present, at the time of sale of any such [bottle of wine]
197 product from such [farm winery] permit holder at such farmers'
198 market. Any such [farmers' market wine sales] permit shall be valid for
199 a period of one year from the date of issuance. The annual fee for [a
200 farmers' market wine sales] such permit shall be two hundred fifty
201 dollars. There shall be a one-hundred-dollar, nonrefundable filing fee
202 for any such permit."

203 Strike subsection (a) of section 16 in its entirety and substitute the
204 following in lieu thereof:

205 "(a) No backer or permittee of one permit class shall be a backer or
206 permittee of any other permit class except in the case of any class of
207 airport, railroad, airline and boat permits, and except that: (1) A backer
208 of a hotel or restaurant permit may be a backer of both such classes; (2)
209 a holder or backer of a [manufacturer permit for a brew pub, a]
210 restaurant permit or a cafe permit may be a holder or backer of any

211 other or all of such classes; (3) a holder or backer of a restaurant permit
212 may be a holder or backer of a bowling establishment permit; (4) a
213 backer of a restaurant permit may be a backer of a coliseum permit or a
214 coliseum concession permit, or both, when such restaurant is within a
215 coliseum; (5) a backer of a hotel permit may be a backer of a coliseum
216 permit or a coliseum concession permit, or both; (6) a backer of a
217 coliseum permit may be a backer of a coliseum concession permit; (7) a
218 backer of a coliseum concession permit may be a backer of a coliseum
219 permit; (8) a backer of a grocery store beer permit may be a backer of a
220 package store permit if such was the case on or before May 1, 1996; (9)
221 a backer of a university permit may be a backer of a nonprofit theater
222 permit; (10) [subject to the discretion of the department, a backer of a
223 permit provided for in section 30-33b, may be a backer of any other
224 retail on-premise consumption permit, including those permits
225 provided for in section 30-33b; (11)] a backer of a nonprofit theater
226 permit may be a holder or backer of a hotel permit; [(12)] (11) a holder
227 or backer of a restaurant permit may be a holder or backer of a special
228 outing facility permit; [(13)] (12) a backer of a concession permit may
229 be a backer of a coliseum permit or a coliseum concession permit, or
230 both; [(14)] (13) a holder of an out-of-state winery shipper's permit for
231 wine may be a holder of an in-state transporter's permit or an out-of-
232 state entity wine festival permit issued pursuant to section 30-37m, or
233 of both such permits; [(15)] (14) a holder of an out-of-state shipper's
234 permit for alcoholic liquor other than beer may be a holder of an in-
235 state transporter's permit; [(16)] (15) a holder of a manufacturer permit
236 for a farm winery or the holder of a manufacturer permit for cider and
237 mead may be a holder of an in-state transporter's permit, a wine
238 festival permit issued pursuant to section 30-37l, as amended by this
239 act, a farmers' market [wine] sales permit issued pursuant to
240 subsection (a) of section 30-37o, as amended by this act, an off-site
241 farm winery sales and tasting permit issued pursuant to section 30-16a,
242 as amended by this act, or of any combination of such permits; [and
243 (17)] (16) a holder of a manufacturer permit for beer [, manufacturer
244 permit for a brew pub, manufacturer permit for beer and brew pub or
245 manufacturer permit for a farm brewery] may be a holder of a farmers'

246 market [beer] sales permit issued pursuant to section [30-37r] 30-37o.
247 Any person may be a permittee of more than one permit; [A person
248 may be a permittee under a permit provided for in section 30-33b and
249 a backer of any other retail on-premise consumption permit, including
250 those permits provided for in section 30-33b. The operator of a racing
251 or jai alai exhibition with pari-mutuel betting licensed by the
252 Department of Consumer Protection may be a backer of any permit
253 provided for in section 30-33b] and (17) the holder of a manufacturer
254 permit for spirits, a manufacturer permit for beer, a manufacturer
255 permit for a farm winery or a manufacturer permit for cider and mead
256 may be a holder of a Connecticut craft cafe permit, a restaurant permit
257 or a restaurant permit for wine and beer. No holder of a manufacturer
258 permit for a brew pub and no spouse or child of such holder may be a
259 holder or backer of more than three restaurant permits or cafe
260 permits."

261 Strike subsection (f) of section 17 in its entirety and substitute the
262 following in lieu thereof:

263 "(f) The retail sale [of wine] and the tasting of free samples of wine,
264 cider not exceeding six per cent alcohol by volume, apple wine not
265 exceeding fifteen per cent alcohol by volume, apple brandy, eau-de-vie
266 and mead by visitors and prospective retail customers of a permittee
267 holding a manufacturer permit for a farm winery or a manufacturer
268 permit for cider and mead on the premises of such permittee shall be
269 unlawful on Sunday before ten o'clock a.m. and after ten o'clock p.m.
270 and on any other day before eight o'clock a.m. and after ten o'clock
271 p.m. Any town may, by vote of a town meeting or by ordinance,
272 reduce the number of hours during which sales and the tasting of free
273 samples of [wine] products under this subsection shall be permissible."

274 Strike subsection (c) of section 18 in its entirety and substitute the
275 following in lieu thereof:

276 "(c) The holder of a Connecticut craft cafe permit may purchase
277 alcoholic liquor for resale on such permit holder's premises from the

278 holder of a: (1) Manufacturer permit for spirits issued pursuant to
279 subsection (a) of section 30-16 of the general statutes, as amended by
280 this act, (2) manufacturer permit for beer issued pursuant to subsection
281 (b) of section 30-16 of the general statutes, as amended by this act, (3)
282 manufacturer permit for a farm winery issued pursuant to subsection
283 (c) of section 30-16 of the general statutes, as amended by this act, or
284 (4) manufacturer permit for cider and mead issued pursuant to
285 subsection (d) of section 30-16 of the general statutes, as amended by
286 this act. The holder of a Connecticut craft cafe permit shall not
287 purchase the same type of alcoholic liquor such permit holder
288 manufactures from any holder of a manufacturer permit specified in
289 subdivision (1), (2) or (3) of this subsection. The sale of such alcoholic
290 liquor shall not be more than twenty per cent of the Connecticut craft
291 cafe permit holder's gross annual sales of all alcoholic liquor sold for
292 on-premise consumption."