

TITLE 30

INTOXICATING LIQUORS

CHAPTER 545

LIQUOR CONTROL ACT

PART I

DEFINITIONS

Sec. 30-1. Definitions. For the interpretation of this chapter, unless the context indicates a different meaning:

(1) "Airline" means any United States airline carrier, holding a certificate of public convenience and necessity from the Civil Aeronautics Board under Section 401 of the Federal Aviation Act of 1958, as amended, or any foreign flag carrier, holding a permit under Section 402 of such act.

(2) "Alcohol" means the product of distillation of any fermented liquid, rectified either once or more often, whatever may be the origin thereof, and includes synthetic ethyl alcohol which is considered nonpotable.

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

(4) "Backer" means, except in cases where the permittee is himself the proprietor, the proprietor of any business or club, incorporated or unincorporated, engaged in the manufacture or sale of alcoholic liquor, in which business a permittee is associated, whether as employee, agent or part owner.

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

(6) (A) "Case price" means the price of a container of cardboard, wood or other material, containing units of the same size, brand, age and proof of alcoholic liquor, and (B) a case of alcoholic liquor, other than beer, cordials, cocktails, wines and prepared mixed drinks, shall be in the number and quantity of units or bottles as follows: Three gallon bottles; four gallon bottles; six half-gallon bottles; twelve quart bottles or twelve liter bottles; twelve one-fifth gallon bottles or twelve seven hundred fifty milliliter bottles; twenty-four pint bottles; twenty-four one-tenth gallon bottles or six and four-tenths ounce bottles or twenty-four three hundred

seventy-five milliliter bottles or forty-eight one hundred eighty-seven and one-half milliliter bottles; ninety-six one hundred milliliter bottles; forty-eight half-pint bottles, or two hundred forty-one and one-half ounce, one and six-tenths ounce and two ounce bottles or ninety-six ninety-three and seven-tenths milliliter bottles or one hundred ninety-two forty-six and eight-tenths milliliter bottles.

(7) "Charitable organization" means any nonprofit organization organized for charitable purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code.

(8) "Club" means a club as defined in section 30-23.

(9) "Coliseum" means a coliseum as defined in section 30-33a.

(10) "Commission" means the Liquor Control Commission and "department" means the Department of Consumer Protection.

(11) "Golf country club" means a golf country club as defined in section 30-24a.

(12) "Minor" means any person under twenty-one years of age.

(13) "Person" means natural person including partners but shall not include corporations, limited liability companies, joint stock companies or other associations of natural persons.

(14) "Proprietor" shall include all owners of businesses or clubs, included in subdivision (4) of this section, whether such owners are individuals, partners, joint stock companies, fiduciaries, stockholders of corporations or otherwise, but shall not include persons or corporations who are merely creditors of such businesses or clubs, whether as note holders, bond holders, landlords or franchisors.

(15) "Dining room" means a room or rooms in premises operating under a hotel permit, hotel beer permit, restaurant permit, restaurant permit for beer, restaurant permit for wine and beer, railroad permit, or boat permit, where meals are customarily served, within the room or rooms, to any member of the public who has means of payment and proper demeanor.

(16) "Restaurant" means a restaurant as defined in section 30-22, as amended.

(17) "Special sporting facility" means a special sporting facility as defined in section 30-33b.

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

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

(20) "Nonprofit public television corporation" means a nonprofit public television corporation as defined in section 30-37d.

(1949 Rev., S. 4222; 1951, 1953, S. 2148d; 1957, P.A. 267, S. 1; 617, S. 1; 1959, P.A. 590; 1961, P.A. 292; 1963, P.A. 274, S. 1; February, 1965, P.A. 512; 553, S. 1; 1967, P.A. 365, S. 1; 725, S. 1; 1969, P.A. 135, S. 1; 724, S. 1; 739; 1971, P.A. 254, S. 1; 1972, P.A. 127, S. 57; P.A. 73-222; 73-533, S. 1; 73-543, S. 1; 73-563, S. 1; P.A. 74-307, S. 1; P.A. 75-259, S. 1, 8; 75-641, S. 1; P.A. 77-614, S. 165, 587, 610; P.A. 78-80, S. 1, 4; 78-82, S. 2; 78-202, S. 1, 2, 5; 78-294, S. 1, 5; 78-303, S. 80, 85, 136; P.A. 79-404, S. 38, 45; P.A. 80-198, S. 2; 80-482, S. 4, 170, 189, 191, 345, 348; P.A. 81-287, S. 1; 81-294, S. 6, 22; P.A. 82-68, S. 1, 11; 82-299, S. 1, 6; P.A. 83-152, S. 2; 83-508, S. 2; P.A. 85-264, S. 1, 4; 85-613, S. 82, 154; P.A. 89-181, S. 1, 6; P.A. 90-72, S. 1; 90-271, S. 18, 24; P.A. 91-118, S. 1; P.A. 93-139, S. 1; 93-326, S. 2; P.A. 95-79, S. 105, 189; 95-195, S. 11, 83; P.A. 03-235, S. 4; June 30 Sp. Ses. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 05-288, S. 132; P..A. 06-94, S. 1.)

Secs. 30-1a and 30-1b. Term "Liquor Control Commission" deemed to mean Division of Liquor Control within the Department of Business Regulation, exception. Term "Division of Liquor Control" or "Division of Liquor Control within the Department of Public Safety" deemed to mean "Department of Liquor Control", when Sections 30-1a and 30-1b are repealed.

(P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 136; P.A. 80-482, S. 170, 346, 348; P.A. 93-139, S. 73.)

PART II DEPARTMENT OF CONSUMER PROTECTION: LIQUOR CONTROL

Sec. 30-2. Liquor Control Commission: Appointment, term, vacancies, oath, removal. There shall be a Liquor Control Commission composed of three commissioners, one of whom shall be the Commissioner of Consumer Protection, appointed by the Governor in accordance with section 4-9a. The Commissioner of Consumer Protection shall be the chairman of the commission. The Governor shall fill any vacancy for the unexpired portion of the term. Not more than two commissioners shall be of the same political party. Each commissioner shall take the oath prescribed for executive officers. The Governor may remove any commissioner as provided in section 4-12.

(1949 Rev., S. 4223; P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 136; P.A. 93-139, S. 2; P.A. 95-195, S. 1, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(c); P.A. 04-189, S. 1.)

Sec. 30-3. Assistance. The department may appoint a secretary and may employ such clerks, inspectors, agents and other assistants as it requires.

(1949 Rev., S. 4224; P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 136; P.A. 99-194, S. 21.)

Sec. 30-4. Commissioners and employees prohibited from dealing in or manufacture of alcoholic liquor. No commissioner of the Liquor Control Commission and no employee of the Department of Consumer Protection who carries out the duties and responsibilities of sections 30-2 to 30-68m, inclusive, and the regulations enacted thereunder may, directly or indirectly, individually or as a member of a partnership or as a shareholder of a corporation, have any interest whatsoever in dealing in or in the manufacture of alcoholic liquor, nor receive any commission or profit whatsoever from nor have any interest whatsoever in the purchases or sales made by the persons authorized by this chapter to purchase or sell alcoholic liquor. No provision of this section shall prevent any such commissioner or employee from purchasing and keeping in his possession, for the personal use of himself or members of his family or guests, any alcoholic liquor which may be purchased or kept by any person by virtue of this chapter.

(1949 Rev., S. 4226; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 2, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-5. Receipts and expenditures. The moneys received from the permit fees shall be deposited by the Department of Consumer Protection daily with the State Treasurer. Such deposit shall operate as a full discharge of the department of all liability therefor. The expenses of the department for carrying out the provisions of sections 30-1 to 30-113, inclusive, including salaries, shall be defrayed from the receipts of the taxes imposed by chapter 220.

(1949 Rev., S. 4227; 1959, P.A. 152, S. 54; 388, S. 3; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 12, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-6. Powers and duties of Department of Consumer Protection; report; records and certified copies. (a) The Department of Consumer Protection shall enforce the provisions of this chapter. The department may, upon notification by the Governor that a state of emergency exists in the state or in any town, city or borough, order the suspension of sale of alcoholic liquors during the period of such emergency in the state or in any town, city or borough. It may generally do whatever is reasonably necessary for the carrying out of the intent of this chapter; and, without limiting its authority, it may call upon other administrative departments of the state government and of municipal governments, upon state and municipal police departments and upon prosecuting officers and state's attorneys for such information and assistance as it deems necessary to the performance of its duties.

(b) The department shall submit to the Governor, as provided in section 4-60, an annual report of its official acts. The department shall keep a record of proceedings and orders pertaining to the matters under its jurisdiction and of all permits granted, refused, suspended or revoked and of all reports sent to its office. It shall furnish, without charge, for official use only, certified copies of permits and documents relating thereto, to officials of the state or of any municipality in the state, to officials of any other state or to any court in this state. Any certified copy of any document or record of the department, attested as a true copy by the department, shall be competent evidence in any court of the state of facts therein contained. All records of the department pertaining to applicants and to permits shall be maintained pursuant to the provisions of title 11 and shall be open to public inspection at any reasonable time during office hours. All other records may be regarded as confidential by the department, except to the Governor and in response to judicial process.

(1949 Rev., S. 4228; September, 1957, P.A. 11, S. 13; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 191, 348; P.A. 82-332, S. 1, 13; P.A. 90-230, S. 53, 101; P.A. 93-139, S. 3; P.A. 95-195, S. 13, 83; P.A. 99-194, S. 22; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-6a. Adoption of regulations. (a) The Department of Consumer Protection may adopt in accordance with the provisions of chapter 54 all necessary regulations, subject to the provisions of subsection (c) of this section, to: (1) Carry out, enforce and prevent violation of the provisions of this chapter, (2) inspect permit premises, (3) ensure sanitary conditions, (4) ensure proper, safe and orderly conduct of permit premises, and (5) protect the public against fraud or overcharge.

(b) More specifically, with respect to part V of this chapter, the Department of Consumer Protection may adopt in accordance with the provisions of chapter 54 regulations that are necessary to (1) carry out the purposes of section 30-64 and prevent the circumvention thereof by the offering or giving of any rebate, allowance, free goods, discount or any other thing or service of value; (2) permit the withdrawal of, an addition to, a deletion from or an amendment of any schedule, or a modification of prices therein, when not inconsistent with the purposes of said section 30-64, whenever necessary to avoid practical difficulties or unnecessary hardships

to any permittee affected by said section 30-64 or because of acts or circumstances beyond the control of such permittee and under such terms and conditions as are necessary to carry out the purposes of said section 30-64; (3) permit the sale by a retailer of a brand of alcoholic liquor or wine for which a schedule of suggested consumer resale prices has not been and cannot be filed, whenever necessary to avoid practical difficulties or unnecessary hardships to any permittee affected by said section or because of acts or circumstances beyond the control of such permittee, and under such terms and conditions as are necessary to carry out the purposes of said section 30-64; (4) subject to the provisions of section 30-63e, permit the closeout of a brand for the purpose of discontinuing its sale, under such terms and conditions as are necessary to carry out the purposes of said section 30-64; (5) carry out the purposes of sections 30-68k to 30-68m, inclusive, and section 30-76a and prevent their circumvention; (6) on verified application, and for good cause shown, permit any adjustment or change of any item on the schedule required to be filed under section 30-63 and said section 30-64; and (7) permit the sale at a price which is less than cost by a supplier, wholesaler or retailer for any item of alcoholic liquor, except beer, that is damaged or deteriorated in quality, or, subject to the provisions of section 30-63f, permit the closeout of a brand or size for the purpose of discontinuing its sale, under such terms and conditions as are necessary to carry out the purposes of sections 30-68k to 30-68m, inclusive, and section 30-76a.

(c) The department shall not adopt any regulation: (1) Requiring prior approval of alterations or changes in the interior or exterior of permit premises; (2) requiring prior approval for live entertainment or the installation of amusement devices or games; (3) requiring registration of employees or agents of permittees; (4) requiring the presence of retail permittees on permit premises during hours of sale or prohibiting employment of such permittees in another occupation or business except as provided in section 30-45; or (5) establishing a mandated minimum price above which a permittee must sell.

(P.A. 93-139, S. 4; P.A. 95-195, S. 14, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-7. Regulations to be furnished upon request. Every regulation made by the Department of Consumer Protection under the authority of this chapter shall be furnished to each permittee upon request. The department shall biennially, on or before July first in the odd-numbered years, publish in convenient pamphlet form all regulations then in force and shall furnish upon request copies of such pamphlets to every permittee authorized under the provisions of this chapter to manufacture or sell alcoholic liquor and to such other persons as desire such pamphlets.

(1949 Rev., S. 4229; P.A. 73-31; P.A. 76-394, S. 1, 4; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 85-613, S. 69, 154; P.A. 91-167; P.A. 93-139, S. 5; P.A. 95-195, S. 3, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-8. Investigations, oaths and subpoenas. The Department of Consumer Protection and any agent thereof authorized to conduct any inquiry, investigation or hearing under the provisions of this chapter shall have power to administer oaths and take testimony under oath relative to the matter of inquiry or investigation. The Commissioner of Consumer Protection may withhold from disclosure any complaints or inspections that result in an investigation conducted by the department under this chapter, or any other information obtained by the department during the course of an investigation conducted by the department under this chapter, until the earlier of (1) the date when the investigation is completed, (2) six months after the date when the complaint resulting in the investigation was filed, or (3) six months after the investigation was commenced. At any hearing ordered by the department, the department or such agent having authority by law to issue such process may subpoena

witnesses and require the production of records, papers and documents pertinent to such inquiry. No witness under subpoena authorized to be issued by the provisions of this section shall be excused from testifying or from producing records, papers or documents on the ground that such testimony or the production of such records or other documentary evidence would tend to incriminate him, but such evidence or the records or papers so produced and any information directly or indirectly derived from such evidence, records or papers shall not be used in any criminal proceeding against him. If any person disobeys such process or, having appeared in obedience thereto, refuses to answer any pertinent question put to him by the department or its authorized agent or to produce any records and papers pursuant thereto, the department or its agent may apply to the superior court for the judicial district of Hartford or for the judicial district wherein the person resides or wherein the business has been conducted, setting forth such disobedience to process or refusal to answer, and the court shall cite such person to appear before the court to answer such question or to produce such records and papers and, upon his refusal so to do, shall commit such person to a community correctional center until he testifies, but not for a longer period than sixty days. Notwithstanding the serving of the term of such commitment by any person, the department may proceed with such inquiry and examination as if the witness had not previously been called upon to testify. Officers who serve subpoenas issued by the department or under its authority and witnesses attending hearings conducted by it under this section shall receive like fees and compensation as officers and witnesses in the courts of this state to be paid on vouchers of the department on order of the Comptroller.

(1949 Rev., S. 4230; 1969, P.A. 297; P.A. 77-614, S. 165, 587, 610; P.A. 78-280, S. 2, 6, 127; 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 88-230, S. 1, 12; P.A. 90-98, S. 1, 2; P.A. 93-139, S. 6; 93-142, S. 4, 7, 8; P.A. 95-195, S. 15, 83; 95-220, S. 4-6; P.A. 97-175, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 146(c), (d); P.A. 04-169, S. 17; 04-189, S. 1.)

PART III* **LOCAL OPTION**

Sec. 30-9. Status of towns as to sale of alcoholic liquor. The sale of alcoholic liquor under the provisions of this chapter shall be permitted in any town in the state until by vote of the town, taken as provided in section 30-10, a contrary preference has been indicated; and nothing contained in this chapter shall be construed to permit the sale of alcoholic liquor in any town which has voted to the contrary.

(1949 Rev., S. 4231, 4319.)

Sec. 30-10. Vote on liquor permit question. Upon the petition of not less than ten per cent of the electors of any town, lodged with the town clerk at least sixty days before the date of any regular town election, the selectmen of the town shall warn the electors of such town that, at the regular town election, a vote shall be taken to determine: (1) Whether or not the sale of alcoholic liquor shall be permitted in such town, or (2) whether the sale of alcoholic liquor shall be permitted in such town in one or more of the classes of permits set forth in section 30-15. Such vote shall be taken in the manner prescribed in sections 9-369 and 30-11, and shall become effective on the first Monday of the month next succeeding such town election and shall remain in force until a new vote is taken; provided such vote may be taken at a special election called for the purpose in conformity with the provisions of section 9-164 and provided at least one year shall have elapsed since the previous vote was taken. The provisions of chapter 145 concerning absentee voting at referenda shall apply to all votes taken upon the question of liquor permits. Any class or classes of permits already allowed in a town shall not be affected by any vote unless the petition specifies such class or classes or requests "No Permits".

(1949 Rev., S. 4232; 1953, S. 2150d; February, 1965, P.A. 362, S. 1; 1972, P.A. 294, S. 31; P.A. 79-604, S. 3, 5; P.A. 82-144; P.A. 86-179, S. 51, 53.)

Sec. 30-11. Form of ballot label. The ballot label designations in a vote upon the question of liquor permits shall be "Shall the sale of alcoholic liquor (Permit for All Alcoholic Liquor) be allowed in (Name of town)?" or "Shall the sale of alcoholic liquor under (Specified Permit or Permits) be allowed in (Name of town)?" or "Shall the sale of alcoholic liquor be prohibited (No Permits) in (Name of town)?" and shall be provided in accordance with the provisions of section 9-250. No elector shall vote for more than one designation. No permit shall be issued for "all alcoholic liquor" unless a majority of the votes cast shall be for "all alcoholic liquor" and votes for "all alcoholic liquor" shall be added to, and counted as, votes for "(specified) permit" or "(specified) permits" in case the votes for "all alcoholic liquor" shall not amount to a majority of the total number of votes cast. The provisions of this section shall not affect wholesaler permits.

(1949 Rev., S. 4233; 1953, S. 2151d; February, 1965, P.A. 362, S. 2; P.A. 86-170, S. 12, 13.)

Sec. 30-12. Liquor permit contrary to vote void. When any town has so voted upon the question of liquor permits, any liquor permit granted in such town which is not in accordance with such vote shall be void except manufacturer permits, railroad permits and golf country club permits.

(1949 Rev., S. 4234; February, 1965, P.A. 553, S. 2.)

Sec. 30-13. Previous town action to remain in effect. In all cases in which a town, either by vote of a town meeting or by ordinance, previous to May 18, 1950, acted on the sale of alcoholic liquors or the reduction of the number of hours when such sale is permissible, such action shall remain in effect until further action is taken in accordance with this chapter.

(March, 1950, S. 2176d.)

Sec. 30-13a. Prior vote not to apply to sale under golf country club permit. Referendum requirement. In any case in which a town has, under the provisions of this part, acted, prior to October 1, 1965, to prohibit the sale of alcoholic liquor or restrict such sale to beer only, such action shall not apply to the sale of alcoholic liquor under a golf country club permit, except that the granting of any such permit by the Department of Consumer Protection shall be subject to the provisions of section 30-25a, provided any such permit issued prior to October 1, 1973, shall be subject to the provisions of said section 30-25a only if the holder fails to renew such permit or it is revoked by the department for cause.

(February, 1965, P.A. 553, S. 3; P.A. 73-601, S. 1; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 16, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-13b. Local option re nonprofit theater permits. Section 30-13b is repealed.

(1967, P.A. 725, S. 5; P.A. 74-20, S. 1, 2.)

PART IV PERMITS

Sec. 30-14. Nature and duration of permit. Renewal by transferee or purchaser of permit premises. (a) A permit shall be a purely personal privilege that expires annually, except a permit issued under sections 30-25, 30-35, 30-37b, 30-37d, 30-37g and 30-37h, and revocable in the discretion of the Department of Consumer Protection subject to appeal as provided in section 30-55. A permit shall not constitute property, nor shall it be subject to attachment and execution, nor shall it be alienable, except that it shall descend to the estate of a deceased permittee by the laws of testate or intestate succession. A railroad permit or an airline permit shall be granted to the railroad corporation or airline corporation and not to any person, and the corporation shall be the permittee.

(b) Any permit in this part, except a permit issued under sections 30-25, 30-35, 30-37b, 30-37d, 30-37g and 30-37h, may be issued for a continuous period of not more than six consecutive calendar months, at two-thirds of regular fees, but rebate of fees shall not be permitted for any unexpired portion of the term of a permit revoked by reason of a violation of any provision of this chapter.

(c) The executors or administrators of the estate of any deceased permittee, and the trustees of any insolvent or bankrupt estate of a permittee, when such estate consists in whole or in part of alcoholic liquor, may continue the business of the sale or manufacture of alcoholic liquor under order of the appropriate court and may exercise the privileges of the deceased or insolvent or bankrupt permittee for a period not exceeding six months after the date of such decease or of such insolvency or bankruptcy, or until such time as the applicable permit expires, whichever date is later. A certified copy of the order of the court authorizing the continuance of such business shall be filed with the department. In the event of the death, insolvency or bankruptcy of a backer, the permittee of such backer shall have the same rights and privileges as set forth in this section, provided, in addition to the order of said court, the executor or administrator of the estate of any deceased backer, or the trustee of any insolvent or bankrupt estate of a backer, shall file a notice with the department that he has authorized such permittee to continue such business.

(d) Notwithstanding any provision of this section, a package store permit may be renewed by a transferee or purchaser of permit premises under section 30-14a.

(1949 Rev., S. 4236; P.A. 73-543, S. 5, 14; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 7, 22; P.A. 93-139, S. 7; P.A. 95-195, S. 17, 83; P.A. 97-175, S. 2; P.A. 99-194, S. 23; P.A. 01-195, S. 93, 181; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-14a. Renewal and issuance of package store permits. Removal of premises. A package store permit may be renewed by the person to whom it was issued or by any person who is a transferee or purchaser of premises operating under a package store permit and who meets the requirements of this chapter concerning eligibility for a liquor permit. Commencing June 8, 1986, the Department of Consumer Protection may issue one package store permit for every twenty-five hundred residents of a town as determined by the most recently completed decennial census. The department may authorize the holder of such permit to remove his permit premises to a location in another town provided such removal complies with the provisions of this chapter.

(P.A. 81-294, S. 5, 22; P.A. 85-361, S. 1, 3; P.A. 93-139, S. 8; P.A. 95-195, S. 18, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-15. Issuance of permits. The Department of Consumer Protection may issue permits in the classes described in this chapter. Permits shall be subject to the regulations of the Department of Consumer Protection and the provisions of this chapter.

(1949 Rev., S. 4237; 1953, S. 2155d; February, 1965, P.A. 553, S. 4; 1967, P.A. 725, S. 2; 1969, P.A. 724, S. 2; 1971, P.A. 254, S. 2; 1972, P.A. 68, S. 4; P.A. 73-533, S. 3; 73-543, S. 2, 14; P.A. 74-307, S. 4; P.A. 75-598, S. 3; 75-641, S. 2; P.A. 76-347, S. 1; P.A. 77-614, S. 165, 587, 610; P.A. 78-82, S. 3; 78-202, S. 3, 5; 78-279, S. 1, 2, 6; 78-294, S. 2, 5; 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 192, 345, 348; P.A. 81-287, S. 2; 81-367, S. 1, 9; P.A. 82-299, S. 2, 6; P.A. 83-152, S. 3; 83-283, S. 1, 5; 83-434, S. 1, 4; P.A. 84-494, S. 1, 11; P.A. 85-380, S. 1, 6, 12; P.A. 87-321, S. 1, 6; P.A. 89-155, S. 1, 4; 89-181, S. 2, 6; P.A. 91-353, S. 4, 7; P.A. 93-139, S. 9; P.A. 95-195, S. 19, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-16. Manufacturer permit. (a) A manufacturer permit shall allow the manufacture of alcoholic liquor and the storage, bottling and wholesale distribution and sale of alcoholic liquor manufactured or bottled to permittees in this state and without the state as may be permitted by law; but no such permit shall be granted unless the place or the plan of the place of manufacture has received the approval of the Department of Consumer Protection. A holder of a manufacturer permit may apply for and shall receive an out-of-state shipper's permit for manufacturing plants and warehouse locations outside the state owned by such manufacturer or a subsidiary corporation thereof, at least eighty-five per cent of the voting stock of which is owned by such manufacturer, to bring into any of its plants or warehouses in the state alcoholic liquors for reprocessing, repackaging, reshipment or sale either (1) within the state to wholesaler permittees not owned or controlled by such manufacturer, or (2) outside the state. A holder of a manufacturer permit, except a manufacturer permit for cider, may apply for and shall receive a wholesaler permit. The annual fee for a manufacturer permit shall be one thousand six hundred dollars.

(b) A manufacturer permit for beer shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to beer, but shall permit the storage of beer in any part of the state. Such permit shall also authorize the offering and tasting, on the premises of the permittee, of free samples of beer brewed on such premises and the selling at retail from the premises of sealed bottles or other sealed containers of such beer for consumption off the premises. The offering and tasting shall be limited to visitors who have attended a tour of the premises of the permittee. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than eight liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for beer shall be eight hundred dollars.

(c) A manufacturer permit for cider not exceeding six per cent alcohol by volume and apple wine not exceeding fifteen per cent alcohol by volume shall allow the manufacture, storage, bottling and wholesale distribution and sale at retail of such cider and apple wine to permittees and nonpermittees in this state as may be permitted by law; but no such permit shall be issued unless the place or the plan of the place of manufacture has received the approval of the department. The annual fee for a manufacturer permit for cider shall be one hundred sixty dollars.

(d) A manufacturer permit for apple brandy and eau-de-vie shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to apple brandy or eau-de-vie, or both. The annual fee for a manufacturer permit for apple brandy and eau-de-vie shall be three hundred twenty dollars.

(e) (1) A manufacturer permit for a farm winery shall be in all respects the same as a manufacturer permit, except that the scope of operations of the holder shall be limited to wine and brandies distilled from grape products or other fruit products, including grappa and eau-de-vie. As used in this section, "farm winery" means any place or premises, located on a farm in the state in which wine is manufactured and sold.

(2) Such permit shall authorize (A) the sale in bulk by the holder thereof from the premises where the products are manufactured pursuant to such permit; (B) as to a manufacturer who produces one hundred thousand gallons of wine or less per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by the farm winery permittee in the original sealed containers of not more than fifteen gallons per container; (C) the sale and shipment by the holder thereof of wine manufactured by the farm winery permittee to persons outside the state; (D) the offering and tasting of free samples of such wine or brandy to visitors and prospective retail customers for consumption on the premises of the farm winery permittee; (E) the sale at retail from the premises of sealed bottles or other sealed containers of such wine or brandy for consumption off the premises; (F) the sale at retail from the premises of wine or brandy by the glass and bottle to visitors on the premises of the farm winery permittee for consumption on the premises; and (G) subject to the provisions of subdivision (3) of this subsection, the sale and delivery or shipment of wine manufactured by the permittee directly to a consumer in this state. Notwithstanding the provisions of subparagraphs (D), (E) and (F) of this subdivision, a town may, by ordinance or zoning regulation, prohibit any such offering, tasting or selling at retail at premises within such town for which a manufacturer permit for a farm winery has been issued.

(3) A permittee, when selling and shipping wine directly to a consumer in this state, shall: (A) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (B) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h, as amended; (C) not ship more than five gallons of wine in any sixty-day period to any person in this state; (D) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales; (E) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (F) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; and (G) hold an in-state transporter's permit pursuant to section 30-19f, as amended, or make any such shipment through the use of a person who holds such an in-state transporter's permit.

(4) No licensed farm winery may sell any such wine or brandy not manufactured by such winery, except a licensed farm winery may sell from the premises wine manufactured by another farm winery located in this state.

(5) The farm winery permittee shall produce on the premises of the farm winery or on property adjacent to and under the same ownership and control of said permittee within the state an average crop of fruit equal to not less than twenty-five per cent of the fruit used in the manufacture of the farm winery permittee's wine. An average crop shall be defined each year

as the average yield of the farm winery permittee's two largest annual crops out of the preceding five years, except that during the first seven years from the date of issuance of a farm winery permit, an average crop shall be defined as three tons of grapes for each acre of vineyard farmed by the farm winery permittee. (6) A holder of a manufacturer permit for a farm winery, when advertising or offering wine for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising. (7) The annual fee for a manufacturer permit for a farm winery shall be two hundred forty dollars.

(f) A manufacturer permit for a brew pub shall allow the manufacture, storage and bottling of beer, the retail sale of alcoholic liquor to be consumed on the premises with or without the sale of food, and the selling at retail from the premises of sealed bottles or other sealed containers of beer brewed on such premises for consumption off the premises, provided that the holder of a manufacturer permit for a brew pub produces at least five thousand gallons of beer on the premises annually. Such selling at retail from the premises of sealed bottles or other sealed containers shall comply with the provisions of subsection (d) of section 30-91 and shall permit not more than eight liters of beer to be sold to any person on any day on which such sale is authorized under the provisions of subsection (d) of section 30-91. The annual fee for a manufacturer permit for a brew pub shall be two hundred forty dollars.

(1949 Rev., S. 4238; February, 1965, P.A. 180; 1967, P.A. 327, S. 1; P.A. 77-614, S. 165, 587, 610; P.A. 78-294, S. 3, 5; 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 87-141, S. 1, 2; P.A. 88-97; P.A. 89-181, S. 3, 6; P.A. 90-72, S. 3; P.A. 91-353, S. 1, 7; P.A. 93-139, S. 10; 93-266; P.A. 95-161, S. 1, 3; 95-195, S. 20, 83; P.A. 96-220, S. 1-3, 7; P.A. 98-236, S. 5, 6; P.A. 02-25, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-111, S. 1; 04-169, S. 17; 04-189, S. 1; P.A. 05-7, S. 1; 05-274, S. 1; PA-06-26, S.1.)

Sec. 30-17. Wholesaler permit. Termination or diminishment of distributorship. (a) (1) A wholesaler permit shall allow the bottling of alcoholic liquor and the wholesale sale of alcoholic liquor to permittees in this state and without the state, as may be permitted by law, and the sale of alcoholic liquors to vessels engaged in coastwise or foreign commerce, and the sale of alcohol and alcoholic liquor for industrial purposes to nonpermittees, such sales to be made in accordance with the regulations adopted by the Department of Consumer Protection, and the sale of alcohol and alcoholic liquor for medicinal purposes to hospitals and charitable institutions and to religious organizations for sacramental purposes and the receipt from out-of-state shippers of multiple packages of alcoholic liquor. The holder of a wholesaler permit may apply for and shall thereupon receive an out-of-state shipper's permit for direct importation from abroad of alcoholic liquors manufactured outside the United States and an out-of-state shipper's permit for direct importation from abroad of beer manufactured outside the United States. The annual fee for a wholesaler permit shall be two thousand four hundred dollars.

(2) When a holder of a wholesaler permit has had the distributorship of any alcohol, beer, spirits or wine product of a manufacturer or out-of-state shipper for six months or more, such distributorship may be terminated or its geographic territory diminished upon (A) the execution of a written stipulation by the wholesaler and manufacturer or out-of-state shipper agreeing to the change and the approval of such change by the Department of Consumer Protection; or (B) the sending of a written notice by registered mail, return receipt requested, by the manufacturer or out-of-state shipper to the wholesaler, a copy of which notice has been sent simultaneously by registered mail, return receipt requested, to the Department of Consumer Protection. No such termination or diminishment shall become effective except for just and sufficient cause, provided such cause shall be set forth in such notice and the

Department of Consumer Protection shall determine, after hearing, that just and sufficient cause exists. If an emergency occurs, caused by the wholesaler, prior to such hearing, which threatens the manufacturers' or out-of-state shippers' products or otherwise endangers the business of the manufacturer or out-of-state shipper and said emergency is established to the satisfaction of the Department of Consumer Protection, the department may temporarily suspend such wholesaler permit or take whatever reasonable action the department deems advisable to provide for such emergency and the department may continue such temporary action until its decision after a full hearing. The Department of Consumer Protection shall render its decision with reasonable promptness following such hearing. Notwithstanding the aforesaid, a manufacturer or out-of-state shipper may appoint one or more additional wholesalers as the distributor for an alcohol, spirits or wine product within such territory, provided such appointment shall not be effective until six months from the date such manufacturer or out-of-state shipper sets forth such intention in written notice to the existing wholesaler by registered mail, return receipt requested, with a copy of such notice simultaneously sent by registered mail, return receipt requested, to the Department of Consumer Protection. For just and sufficient cause, a manufacturer or out-of-state shipper may appoint one or more additional wholesalers as the distributor for a beer product within such territory provided such manufacturer or out-of-state shipper sets forth such intention and cause in written notice to the existing wholesaler by registered mail, return receipt requested, with a copy of such notice simultaneously sent by registered mail, return receipt requested, to the Department of Consumer Protection. For the purposes of this section, "just and sufficient cause" means the existence of circumstances which, in the opinion of a reasonable person considering all of the equities of both the wholesaler and the manufacturer or out-of-state shipper warrants a termination or a diminishment of a distributorship as the case may be. For the purposes of this section, "manufacturer or out-of-state shipper" means the manufacturer or out-of-state shipper who originally granted a distributorship of any alcohol, beer, spirits or wine product to a wholesaler, any successor to such manufacturer or out-of-state shipper, which successor has assumed the contractual relationship with such wholesaler by assignment or otherwise, or any other manufacturer or out-of-state shipper who acquires the right to ship such alcohol, beer, spirits or wine into the state.

(3) Nothing contained herein shall be construed to interfere with the authority of the Department of Consumer Protection to retain or adopt reasonable regulations concerning the termination or diminishment of a distributorship held by a wholesaler for less than six months.

(4) All hearings held hereunder shall be held in accordance with the provisions of chapter 54.

(b) A wholesaler permit for beer shall be in all respects the same as a wholesaler permit, except that the scope of operations of the holder shall be limited to beer; but shall not prohibit the handling of nonalcoholic merchandise. The holder of a wholesaler permit for beer may apply for and shall thereupon receive an out-of-state shipper's permit for direct importation from abroad of beer manufactured outside the United States. The annual fee for a wholesaler permit for beer shall be eight hundred dollars.

(1949 Rev., S. 4239; 1955, S. 2156d; 1971, P.A. 605, S. 1; 747, S. 1; 1972, P.A. 95, S. 1; P.A. 73-230; P.A. 75-186, S. 1, 3; 75-641, S. 3; P.A. 77-373; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 79-131, S. 1, 2; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-367, S. 2, 9; P.A. 84-432, S. 2, 3; P.A. 86-57, S. 1, 2; P.A. 93-139, S. 11; P.A. 95-161, S. 6, 9; 95-195, S. 21, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 06-67, S.1)

Sec. 30-17a. Sales by wholesaler permittees to retail permittees outside territory. Notwithstanding any provision of the general statutes to the contrary, no

wholesaler permittee shall refuse to sell alcohol, spirits or wine to any retail permittee, without regard to the location of such retail permittee's place of business if (1) such retail permittee is willing to accept delivery at such wholesaler permittee's place of distribution, (2) such retail permittee meets any reasonable conditions imposed upon other retail permittees located within such wholesaler permittee's geographic territory and (3) the item of alcohol spirits or wine sought by such retail permittee is not available from any wholesaler permittee serving a geographic territory in which such retail permittee's place of business is located or is only available from such a wholesaler permittee at a higher price. Any agreement entered into on or after June 8, 1981, which conflicts with the terms of this section shall be void. As used in this section, the term "retail permittee" means the holder of a permit allowing the sale of alcoholic liquor for on or off-premises consumption.

(P.A. 81-294, S. 19, 22; P.A. 82-332, S. 7, 13.)

Sec. 30-17b. Wholesaler's salesman certificates. (a) No person shall be employed by any wholesaler of alcoholic liquor to sell or offer for sale alcoholic liquor to any retailer of alcoholic liquor unless such person holds a wholesaler's salesman certificate or files an application for such certificate not later than ten days after the date of his initial employment. Any person desiring a wholesaler's salesman certificate or renewal thereof, shall file a sworn application for such certificate upon forms to be furnished by the Department of Consumer Protection, showing his name, address and such other information as the department may require. An application for an initial certificate shall be accompanied by a nonrefundable fee in the amount of twenty-five dollars. Upon approval of such application, the department shall issue a certificate which shall be renewed only upon change of employment. If a certified wholesaler's salesman changes employment, a renewal application shall be filed not later than ten days after the date such new employment commences and shall be accompanied by a nonrefundable fee in the amount of twenty-five dollars.

(b) The department shall not issue a wholesaler's salesman certificate to any person who is, by statute or regulation, declared to be an unsuitable person to hold a permit to sell alcoholic liquor.

(c) The Department of Consumer Protection may, in its discretion, refuse a certificate to a wholesaler's salesman if it has reasonable ground to believe: (1) That the applicant appears to be financially irresponsible; (2) that the applicant is in the habit of using alcoholic beverages to excess; (3) that the applicant has wilfully made any false statement to the department in a material matter; or (4) that the applicant has been convicted of violating any of the liquor laws of this or any other state or the liquor laws of the United States or has been convicted of a felony as such term is defined in section 53a-25 or has such a criminal record that the department reasonably believes he is not a suitable person to hold a certificate, provided no refusal shall be rendered under this subdivision except in accordance with the provisions of sections 46a-80 and 46a-81.

(d) The Department of Consumer Protection may, of its own motion, revoke or suspend a wholesaler's salesman certificate upon cause found after hearing, provided ten days' written notice of such hearing has been given to the holder of the certificate setting forth, with the particulars required in civil pleadings, the charges upon which such proposed revocation or suspension is predicated and provided no certificate shall be suspended or revoked for any violation of this chapter of which the holder of the certificate was finally found not guilty by, or received dismissal in, a court having jurisdiction thereof, and no disciplinary action shall be taken thereafter by said department against the holder of the certificate, and provided the

department shall not initiate hearing proceedings pursuant to this section based upon any arrest which has not resulted in a conviction. Any appeal from such order of revocation or suspension shall be taken in accordance with the provisions of section 4-183.

(e) Any person who applies for a wholesaler's salesman certificate or for the renewal of such certificate, whose application is refused or any person who holds a certificate which is revoked or suspended by the Department of Consumer Protection may appeal therefrom in the same manner as provided in section 30-60.

(P.A. 86-191; P.A. 95-195, S. 22, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-18. Out-of-state shipper's permit for alcoholic liquors. (a) An out-of-state shipper's permit for alcoholic liquor other than beer shall allow the sale of such alcoholic liquor to manufacturer and wholesaler permittees in this state as permitted by law and, as to any out-of-state shipper operating a farm winery who produces not more than one hundred thousand gallons of wine per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by such permittee on the permitted premises in the original sealed containers of not more than fifteen gallons per container. The permit premises of an out-of-state shipper's permit for alcoholic liquor may be located within this state or outside this state. The annual fee for an out-of-state shipper's permit for alcoholic liquor other than beer shall be forty-five dollars for a Connecticut manufacturer or wholesaler holding such a permit and shall be one thousand dollars for any other person holding such a permit. For purposes of this subsection, "farm winery" means any place or premises, located on a farm in which wine is manufactured and sold provided not less than twenty-five per cent of the fruit used in the manufacture of such wine is produced on such farm.

(b) Subject to the provisions of this subsection, an out-of-state shipper's permit for alcoholic liquor other than beer shall allow the sale and delivery or shipment of wine manufactured by the permittee on the permitted premises directly to a consumer in this state. Such permittee, when selling and shipping wine directly to a consumer in this state, shall: (1) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (3) not ship more than five gallons of wine in any sixty-day period to any person in this state and not ship any wine until such permittee is registered, with respect to the permittee's sales of wine to consumers in this state, for purposes of the taxes imposed under chapters 219 and 220, with the Department of Revenue Services; (4) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales, with the amount of such taxes to be calculated as if the sale were in this state at the location where delivery is made; (5) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (6) permit the Department of Consumer Protection and Department of Revenue Services, separately or jointly, to perform an audit of the permittee's records upon request; (7) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; (8) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through the use of a person who holds such an in-state transporter's permit; and (9) execute a written consent to the jurisdiction of this state, its

agencies and instrumentalities and the courts of this state concerning the enforcement of this section and any related laws, rules, or regulations, including, but not limited to, tax laws, rules or regulations.

(c) The Department of Consumer Protection, in consultation with the Department of Revenue Services, may adopt regulations, in accordance with the provisions of chapter 54, to assure compliance with the provisions of subsection (b) of this section.

(d) A holder of an out-of-state shipper's permit for alcoholic liquor other than beer, when advertising or offering wine for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(e) (1) For purposes of chapter 219, the holder of an out-of-state shipper's permit for alcoholic liquor other than beer, when shipping wine directly to a consumer in this state, shall be deemed to be a retailer engaged in business in this state, as defined in chapter 219, and shall be required to be issued a seller's permit pursuant to chapter 219.

(2) For purposes of chapter 220, the holder of an out-of-state shipper's permit for alcoholic liquor other than beer, when shipping wine directly to a consumer in this state, shall be deemed to be a distributor as defined in chapter 220 and shall be required to be licensed pursuant to chapter 220.

(f) As used in this section, "out-of-state" means any state other than Connecticut, any territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico, but does not include any foreign country.

(1949 Rev., S. 4240; P.A. 93-139, S. 12; P.A. 01-60, S. 1; P.A. 05-274, S. 2.)

Sec. 30-18a. Out-of-state small winery shipper's permit for wine. (a) An out-of-state winery shipper's permit for wine shall allow the sale of wine to manufacturer and wholesaler permittees in this state as permitted by law and for those shippers that produce not more than one hundred thousand gallons of wine per year, the sale and shipment by the holder thereof to a retailer of wine manufactured by such permittee in the original sealed containers of not more than fifteen gallons per container.

(b) Subject to the provisions of this subsection, an out-of-state winery shipper's permit for wine shall allow the sale and delivery or shipment of wine manufactured by the permittee directly to a consumer in this state. Such permittee, when selling and shipping wine directly to a consumer in this state, shall: (1) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; (3) not ship more than five gallons of wine in any sixty-day period to any person in this state and not ship any wine until such permittee is registered, with respect to the permittee's sales of wine to consumers in this state, for purposes of the taxes imposed under chapters 219 and 220, with the Department of Revenue Services; (4) pay, to the Department of Revenue Services, all sales taxes and alcoholic beverage taxes due under chapters 219 and 220 on sales of wine to consumers in this state, and file, with said department, all sales tax returns and alcoholic beverage tax returns relating to such sales, with the amount of such taxes to be calculated as if

the sale were in this state at the location where delivery is made; (5) report to the Department of Consumer Protection a separate and complete record of all sales and shipments to consumers in the state, on a ledger sheet or similar form which readily presents a chronological account of such permittee's dealings with each such consumer; (6) permit the Department of Consumer Protection and Department of Revenue Services, separately or jointly, to perform an audit of the permittee's records upon request; (7) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9; (8) hold an in-state transporter's permit pursuant to section 30-19f or make any such shipment through the use of a person who holds such an in-state transporter's permit; and (9) execute a written consent to the jurisdiction of this state, its agencies and instrumentalities and the courts of this state concerning the enforcement of this section and any related laws, rules, or regulations, including tax laws, rules or regulations.

(c) The Department of Consumer Protection, in consultation with the Department of Revenue Services, may adopt regulations in accordance with the provisions of chapter 54 to assure compliance with the provisions of subsection (b) of this section.

(d) A holder of an out-of-state winery shipper's permit for wine, when advertising or offering wine for direct shipment to a consumer in this state via the Internet or any other on-line computer network, shall clearly and conspicuously state such liquor permit number in its advertising.

(e) (1) For purposes of chapter 219, the holder of an out-of-state winery shipper's permit for wine, when shipping wine directly to a consumer in this state, shall be deemed to be a retailer engaged in business in this state as defined in chapter 219 and shall be required to be issued a seller's permit pursuant to chapter 219.

(2) For purposes of chapter 220, the holder of an out-of-state winery shipper's permit for wine, when shipping wine directly to a consumer in this state, shall be deemed to be a distributor as defined in chapter 220 and shall be required to be licensed pursuant to chapter 220.

(f) Any person who applies for an out-of-state winery shipper's permit for wine or for the renewal of such permit shall furnish an affidavit to the Department of Consumer Protection, in such form as may be prescribed by the department, affirming whether the out-of-state winery that is the subject of such permit produced more than one hundred thousand gallons of wine during the most recently completed calendar year.

(g) The annual fee for an out-of-state winery shipper's permit for wine shall be two hundred fifty dollars.

(h) As used in this section, "out-of-state" means any state other than Connecticut, any territory or possession of the United States, the District of Columbia or the Commonwealth of Puerto Rico, but does not include any foreign country.

(P.A. 97-101; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 05-274, S. 3.)

Sec. 30-19. Out-of-state shipper's permit for beer. An out-of-state shipper's permit for beer shall allow the sale of beer to manufacturer and wholesaler permittees in this state as permitted by law. The permit premises of an out-of-state shipper's permit for beer may be located within this state or outside this state. The annual fee for an out-of-state shipper's

permit for beer shall be forty-five dollars for a Connecticut manufacturer or wholesaler holding such a permit and shall be one thousand dollars for any other person holding such a permit.

(1949 Rev., S. 4241; P.A. 93-139, S. 13; P.A. 01-60, S. 2.)

Secs. 30-19a to 30-19e. Reserved for future use.

Sec. 30-19f. In-state transporter's permit. (a) An in-state transporter's permit for alcoholic liquor shall allow the commercial transportation of any alcoholic liquor as permitted by law. The annual fee for an in-state transporter's liquor permit shall be one thousand dollars.

(b) No person, corporation, trust, partnership, incorporated or unincorporated association, and any other legal entity except: (1) The holder of an out-of-state shipper's permit issued pursuant to section 30-18 or 30-19; (2) the holder of a manufacturer's permit issued pursuant to section 30-16 other than the holder of a manufacturer's permit for a farm winery; and (3) the holder of a wholesaler's permit issued pursuant to section 30-17 shall transport any alcoholic beverages imported into this state unless such person holds an in-state transporter's permit and the tax imposed on such alcoholic liquor by section 12-435 has been paid and, if applicable, the tax imposed on the sale of such alcoholic liquor pursuant to chapter 219 has been paid.

(c) An in-state transporter, when shipping or delivering wine directly to a consumer in this state, shall: (1) Ensure that the shipping labels on all containers of wine shipped directly to a consumer in this state conspicuously state the following: "CONTAINS ALCOHOL—SIGNATURE OF A PERSON AGE 21 OR OLDER REQUIRED FOR DELIVERY"; (2) obtain the signature of a person age twenty-one or older at the address prior to delivery, after requiring the signer to demonstrate that he or she is age twenty-one or older by providing a valid motor vehicle operator's license or a valid identity card described in section 1-1h; and (3) not ship to any address in the state where the sale of alcoholic liquor is prohibited by local option pursuant to section 30-9.

(d) Any person convicted of violating subsections (a), (b) and (c) of this section shall be fined not more than two thousand dollars for each offense.

(P.A. 95-336, S. 1, 2; P.A. 05-274, S. 4.)

Sec. 30-20. Package store permits; grocery store beer permits. (a) A package store permit shall allow the retail sale of alcoholic liquor not to be consumed on the premises, such sales to be made only in sealed bottles or other containers. The holder of a package store permit may, in accordance with regulations adopted by the Department of Consumer Protection pursuant to the provisions of chapter 54, offer free samples of alcoholic liquor for tasting on the premises, conduct demonstrations and conduct tastings or demonstrations provided by a permittee or backer of a package store for a nominal charge to charitable nonprofit organizations. Any offering, tasting or demonstration held on permit premises shall be conducted only during the hours a package store is permitted to sell alcoholic liquor under section 30-91. No store operating under a package store permit shall sell any commodity other than alcoholic liquor except that, notwithstanding any other provision of law, such store may sell (1) cigarettes, (2) publications, (3) bar utensils, which shall include, but need not be limited to, corkscrews, beverage strainers, stirrers or other similar items used to consume or related to the consumption of alcoholic liquor, (4) gift packages of alcoholic liquor shipped into the state by a manufacturer or out-of-state shipper, which may include a nonalcoholic item in the gift package that may be any item, except food or tobacco products, provided the dollar value of the

nonalcoholic items does not exceed the dollar value of the alcoholic items of the package, (5) nonalcoholic beverages, (6) concentrates used in the preparation of mixed alcoholic beverages, (7) beer and wine-making kits and products related to beer and wine-making kits, (8) ice in any form, (9) articles of clothing imprinted with advertising related to the alcoholic liquor industry, (10) gift baskets or other containers of alcoholic liquor, (11) multiple packages of alcoholic liquors, as defined in subdivision (3) of section 30-1, provided in all such cases the minimum retail selling price for such alcoholic liquor shall apply, and (12) lottery tickets authorized by the Division of Special Revenue, if licensed as an agent to sell such tickets by said division. A package store permit shall also allow the taking and transmitting of orders for delivery of such merchandise in other states. Notwithstanding any other provision of law, a package store permit shall allow the participation in any lottery ticket promotion or giveaway sponsored by the Division of Special Revenue. The annual fee for a package store permit shall be four hundred dollars plus the sum required by section 30-66.

(b) A grocery store beer permit may be granted to any grocery store and shall allow the retail sale of beer in standard size containers not to be consumed on the premises. A holder of a grocery store beer permit shall post in a prominent location adjacent to the beer display, the retail price for each brand of beer and said retail price shall include all applicable federal and state taxes including the applicable state sales taxes. The annual fee for a grocery store beer permit shall be eighty dollars plus the sum required by section 30-66.

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

(1949 Rev., S. 4242; 1951, S. 2157d; 1963, P.A. 274, S. 2; 485; February, 1965, P.A. 479; 1967, P.A. 230, S. 1; 347, S. 1; 1969, P.A. 294; 1971, P.A. 747, S. 2; 1972, P.A. 41, S. 1; P.A. 73-300; P.A. 75-259, S. 2, 8; 75-641, S. 4; P.A. 78-49; P.A. 79-404, S. 39, 45; P.A. 80-482, S. 342, 343, 345, 348; P.A. 81-367, S. 3, 9; P.A. 82-332, S. 2, 13; P.A. 84-78; 84-350, S. 1; P.A. 87-69, S. 1, 2; P.A. 90-32; P.A. 91-353, S. 2, 7; P.A. 93-52; 93-139, S. 14; P.A. 95-115, S. 1; 95-195, S. 23, 83; P.A. 96-7, S. 4, 5; P.A. 00-24; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-20a. University permit. (a)(1) A university permit for beer shall allow the retail sale of beer on land and in a building which is subject to the care, custody and control of an institution offering a program of higher learning as defined by section 10a-34 which has been accredited by the Board of Governors of Higher Education. Such beverages shall be available for consumption on the premises by students, faculty and staff of the institution or their guests. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university permit for beer shall be two hundred forty dollars.

(2) A university permit for wine and beer shall allow the retail sale of wine and beer on land and in a building which is subject to the care, custody and control of an institution offering a program of higher learning as defined by section 10a-34 which has been accredited by the Board of Governors of Higher Education. Such beverages shall be available for consumption on the premises by students, faculty and staff of the institution or their guests. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university permit for beer and wine shall be five hundred sixty dollars.

(b) A university liquor permit shall allow the retail sale of alcoholic liquor in a room that is subject to the care, custody and control of The University of Connecticut Board of Trustees. Such permits shall be under the supervision and control of the Department of Consumer Protection. The annual fee for a university liquor permit shall be two hundred forty dollars.

(1972, P.A. 68, S. 1; P.A. 73-19, S. 1, 2; P.A. 77-573, S. 24, 30; 77-614, S. 165, 587, 610; P.A. 78-279, S. 3, 4, 6; 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 193, 345, 348; P.A. 81-119, S. 1, 3; 81-194; P.A. 82-218, S. 37, 46; P.A. 84-241, S. 2, 5; P.A. 93-139, S. 15; P.A. 95-195, S. 24, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-21. Hotel permit. (a) A hotel permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a hotel. The annual fee for a hotel permit shall be as follows: (1) In towns having a population according to the last-preceding United States census of not more than ten thousand, one thousand two hundred dollars, (2) in towns having a population of more than ten thousand but not more than fifty thousand, one thousand six hundred dollars, and (3) in towns having a population of more than fifty thousand, two thousand four hundred dollars.

(b) A hotel permit for beer shall allow the retail sale of beer and of cider not exceeding six per cent of alcohol by volume to be consumed on the premises of a hotel. The annual fee for a hotel permit for beer shall be two hundred forty dollars.

(c) (1) A patron of a dining room, restaurant or other dining facility in a hotel may remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased a full course meal and consumed a portion of the bottle of wine with such meal on the hotel premises. For purposes of this section, "full course meal" means a diversified selection of food which ordinarily cannot be consumed without the use of tableware and which cannot be conveniently consumed while standing or walking.

(2) A partially consumed bottle of wine that is to be removed from the dining facility premises within the hotel pursuant to this subsection shall be securely sealed and placed in a bag by the permittee or permittee's agent or employee prior to removal from such premises.

(d) "Hotel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where food is served at all times when alcoholic liquor is served and where sleeping accommodations are offered for pay to transient guests, where, in towns having a population according to the last-preceding United States census of forty thousand or less, not less than five rooms are used for the sleeping accommodations of transient guests and food is served at least five days a week, and where, in towns having a population according to the last-preceding United States census of over forty thousand, ten or more rooms are used for the sleeping accommodations of transient guests and food is served at least seven days a week and, in any case, having one or more dining rooms where meals are served to transient guests, such sleeping accommodations and dining rooms being conducted in the same building or buildings in connection therewith, and such building or buildings, structure or structures being provided, in the judgment of the department, with adequate and sanitary kitchen and dining room equipment and capacity, and having employed therein such number and kinds of servants and employees as the department may, by regulation, prescribe for preparing, cooking and serving suitable food for its guests. Golf facilities and swimming pools within the confines of the entire property owned by and under the control of the permittee or backer shall also be considered part of the hotel premises.

(1949 Rev., S. 4243; 1951, S. 2158d; 1969, P.A. 349, S. 1; 1972, P.A. 233, S. 1; P.A. 75-641, S. 5; P.A. 93-139, S. 16; P.A. 04-33, S. 1.)

Sec. 30-21a. Night club permit. Section 30-21a is repealed.

(P.A. 75-598, S. 1; P.A. 84-494, S. 3, 11; P.A. 85-380, S. 11, 12.)

Sec. 30-21b. Resort permit. (a) A resort permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a resort. The annual fee for a resort permit shall be one thousand two hundred dollars.

(b) "Resort" means those premises upon which a hotel with other facilities, such as, but not limited to, a golf course, tennis courts, ski slopes or trails, riding stables or swimming facilities, is operated on a seasonal basis.

(P.A. 78-82, S. 1; P.A. 93-139, S. 17.)

Sec. 30-22. Restaurant permit. Wine ordered with restaurant meals. (a) A restaurant permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a restaurant. A restaurant patron shall be allowed to remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased such bottle of wine at such restaurant and has purchased a full course meal at such restaurant and consumed a portion of the bottle of wine with such meal on such restaurant premises. For the purposes of this section, "full course meal" means a diversified selection of food which ordinarily cannot be consumed without the use of tableware and which cannot be conveniently consumed while standing or walking. A restaurant permit, with prior approval of the Department of Consumer Protection, shall allow alcoholic liquor to be served at tables in outside areas which are screened or not screened from public view where permitted by fire, zoning and health regulations. If not required by fire, zoning or health regulations, a fence or wall enclosing such outside areas shall not be required by the Department of Consumer Protection. No fence or wall used to enclose such outside areas shall be less than thirty inches high. The annual fee for a restaurant permit shall be one thousand two hundred dollars.

(b) A restaurant permit for beer shall allow the retail sale of beer and of cider not exceeding six per cent of alcohol by volume to be consumed on the premises of a restaurant. The annual fee for a restaurant permit for beer shall be two hundred forty dollars.

(c) A restaurant permit for wine and beer shall allow the retail sale of wine and beer and of cider not exceeding six per cent of alcohol by volume to be consumed on the premises of the restaurant. A restaurant patron may remove one unsealed bottle of wine for off-premises consumption provided the patron has purchased a full course meal and consumed a portion of the bottle of wine with such meal on the restaurant premises. The annual fee for a restaurant permit for wine and beer shall be five hundred sixty dollars.

(d) Repealed by P.A. 77-112, S. 1.

(e) A partially consumed bottle of wine that is to be removed from the premises pursuant to subsection (a) or (c) of this section shall be securely sealed and placed in a bag by the permittee or permittee's agent or employee prior to removal from the premises.

(f) "Restaurant" means space, in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where hot meals are regularly served, but which has no sleeping accommodations for the public and which shall be provided with an adequate and sanitary kitchen and dining room and employs at all times an adequate number of employees.

(1949 Rev., S. 4244; 1951, 1953, S. 2159d; 1969, P.A. 349, S. 2; 1972, P.A. 233, S. 2; P.A. 75-641, S. 6; P.A. 77-112, S. 1; P.A. 92-15, S. 1; P.A. 93-139, S. 18; P.A. 95-195, S. 25, 83; P.A. 03-228, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-11, S. 1; 04-169, S. 17; 04-189, S. 1; P.A. 05-134, S. 2.)

Sec. 30-22a. Cafe permit. (a) A cafe permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a cafe. Premises operated under a cafe permit shall regularly keep food available for sale to its customers for consumption on the premises. The availability of sandwiches, soups or other foods, whether fresh, processed, precooked or frozen, shall be deemed compliance with this requirement. The licensed premises shall at all times comply with all the regulations of the local department of health. Nothing herein shall be construed to require that any food be sold or purchased with any liquor, nor shall any rule, regulation or standard be promulgated or enforced requiring that the sale of food be substantial or that the receipts of the business other than from the sale of liquor equal any set percentage of total receipts from sales made therein. A cafe permit shall allow, with the prior approval of the Department of Consumer Protection, alcoholic liquor to be served at tables in outside areas that are screened or not screened from public view where permitted by fire, zoning and health regulations. If not required by fire, zoning or health regulations, a fence or wall enclosing such outside areas shall not be required by the Department of Consumer Protection. No fence or wall used to enclose such outside areas shall be less than thirty inches high. The annual fee for a cafe permit shall be one thousand seven hundred fifty dollars.

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

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

(c) As used in this section, "cafe" means space in a suitable and permanent building, kept, used, maintained, advertised and held out to the public to be a place where alcoholic liquor and food is served for sale at retail for consumption on the premises but which does not necessarily serve hot meals; it shall have no sleeping accommodations for the public and need not necessarily have a kitchen or dining room but shall have employed therein at all times an adequate number of employees.

(1967, P.A. 365, S. 2; P.A. 79-604, S. 2, 5; P.A. 92-15, S. 2; P.A. 93-139, S. 19; P.A. 95-195, S. 26, 83; P.A. 97-175, S. 3; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-11, S. 2; 04-33, S. 2; 04-169, S. 17; 04-189, S. 1.)

Sec. 30-22b. Restaurant permit for catering establishment. Certain requirements may be waived upon written application. (a) A restaurant permit for a catering establishment shall allow a catering establishment to serve alcoholic liquor at a function, occasion or event on the premises of a catering establishment; provided (1) that alcoholic liquor shall be sold only to persons invited to and attending such a function, occasion or event and (2) that alcoholic liquor shall be sold only during the specific hours such function, occasion or event is scheduled on the premises. The permittee shall comply with the regulations of the local department of health. The department may waive the requirements of subdivisions (1) and (2) of this subsection for not more than four functions, occasions or events of a catering establishment annually, provided such establishment makes written application to the department at least ten days prior to the scheduled date of the function, occasion or

event for which a waiver is sought. The annual fee for a restaurant permit for a catering establishment shall be one thousand two hundred dollars.

(b) Nothing in this section shall be construed to require that any catering establishment operated under a restaurant permit for a catering establishment be open for business to the public at any time other than when a particular function, occasion or event is scheduled on such premises.

(c) No organization eligible for a club or nonprofit club permit, or other entity established primarily to serve its members shall be eligible for a restaurant permit for a catering establishment.

(d) "Catering establishment" means any premises that (1) has an adequate, suitable and sanitary kitchen, dining room and facilities to provide hot meals, (2) has no sleeping accommodations for the public, (3) is owned or operated by any person, firm, association, partnership or corporation that regularly furnishes for hire on such premises, one or more ballrooms, reception rooms, dining rooms, banquet halls or similar places of assemblage for a particular function, occasion or event or that furnishes provisions and services for consumption or use at such function, occasion or event, and (4) employs an adequate number of employees on such premises at the time of any such function, occasion or event.

(P.A. 82-299, S. 3, 6; P.A. 91-353, S. 6, 7; P.A. 93-139, S. 20.)

Sec. 30-22c. Juice bars. Notification of local police re scheduled events. Prohibition of alcoholic liquor at juice bar. (a) As used in this section, "juice bar or similar facility" means an area in which nonalcoholic beverages are served to minors. The holder of a cafe permit may operate a juice bar or similar facility at a permit premises if the juice bar or similar facility is limited to a room or rooms or separate area within the permit premises wherein there is no sale, consumption, dispensing or presence of alcoholic liquor.

(b) The holder of a cafe permit shall notify, in writing, or by facsimile, the chief law enforcement officer of the town in which such premises is located in advance of specific dates and hours of any scheduled event at which the premises or a portion thereof will be used as a juice bar or similar facility. Such notice shall be received not later than forty-eight hours prior to such scheduled event. The chief law enforcement officer of the town in which such premises is located may designate a law enforcement officer to attend any such scheduled event at the cost of such permit holder.

(c) Nothing in this section shall exempt the holder of a cafe permit from compliance with any other provisions of the general statutes or regulations of Connecticut state agencies concerning minors, including, but not limited to, the prohibition against the sale of alcoholic liquor to minors. The presence of alcoholic liquor or the sale or dispensing to or consumption of alcoholic liquor by a minor at a juice bar or similar facility is prohibited.

(May 9 Sp. Sess. P.A. 02-7, S. 85; P.A. 05-91, S. 1.)

Sec. 30-23. Club permits. (a) A club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a club but only by members or their guests. The annual fee for a club permit shall be two hundred forty dollars.

(b) "Club" means an association of persons, whether incorporated or unincorporated, which has been in existence as a bona fide organization for at least three years prior to applying for a

permit issued as provided by this chapter, or has been a bona fide national or international fraternal or social organization or affiliation thereof which has been in existence in this state for one year, for the promotion of some common object, not including associations organized for any commercial or business purpose the object of which is money profit, owning, hiring or leasing a building, or space in a building, or having substantial control of a building or space therein, of such extent and character as, in the judgment of the department, may be suitable and adequate for the reasonable and comfortable use and accommodation of its members and their guests; provided, as to such clubs as the department finds to be bona fide and which offer facilities and privileges in addition to the privileges of the club building, such as golf, tennis, bathing or beach facilities, hunting or riding, the three-year requirement shall not apply; and provided such club shall file with the department, upon request, within ten days of February first in each year, a list of the names and residences of its members, and shall similarly file, within ten days of the election of any additional member, his name and address, and provided its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of alcoholic liquor, shall be sufficient to defray the annual rental of its leased or rented premises, or, if such premises are owned by the club, shall be sufficient to meet the taxes, insurance and repairs and the interest on any mortgage thereof; and provided, further, its affairs and management shall be conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting, and no member or any officer, agent or employee of the club shall be paid or, directly or indirectly, shall receive in the form of salary or other compensation any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or other governing body and as reported by the club to the department, within three months after such annual meeting, and as, in the judgment of the department, is reasonable and proper compensation for the services of such member, officer, agent or employee.

(c) A nonprofit club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a nonprofit club by members or their guests and by persons other than members or their guests, provided the total receipts of such club in any year, including receipts from the sale of alcoholic liquor, derived from making its facilities and services available to such persons in furtherance of such club's recreational or other nonprofit purpose shall not exceed fifteen per cent of such club's gross receipts for such year. "Nonprofit club" means a club that is exempt from federal income tax under Section 501(a) of the Internal Revenue Code and is described in Section 501(c) of the code. The annual fee for a nonprofit club permit shall be six hundred fifty dollars.

(1949 Rev., S. 4245; P.A. 75-641, S. 7; P.A. 81-287, S. 3; P.A. 93-139, S. 21.)

Sec. 30-23a. Guest book requirements under club permits. No person shall be construed to be a guest of a member of a club within the intent of section 30-23 or of a golf country club within the intent of section 30-24a until his name and address has been entered in the guest book maintained for such purposes on the club or golf country club premises, together with the signature of the member and the date of introduction, provided neither the permittee nor any person employed to dispense alcoholic beverages on such premises, during his working hours on such premises, shall enter such person's name in such book. The requirement of this section may be waived by the Department of Consumer Protection on special occasions upon written application.

(1971, P.A. 607; P.A. 75-199, S. 1, 2; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 27, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-23b. Club permit for Rocky Hill Veterans' Home and Hospital. Section 30-23b is repealed, effective June 1, 2004.

(P.A. 78-74; 78-303, S. 85, 136; P.A. 80-482, S. 4, 170, 191, 194, 345, 348; P.A. 93-139, S. 22; P.A. 95-195, S. 28, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 21.)

Sec. 30-24. Spouses of club and golf country club members. Spouses of members of any club or golf country club which holds a permit under the provisions of this chapter may be allowed to participate in all of the privileges of said club or golf country club, by vote of said members, and shall not be considered guests for purposes of the general statutes or regulations of the Department of Consumer Protection.

(1953, S. 2173d; February, 1965, P.A. 553, S. 5; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 29, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-24a. Golf country club permit. Nonprofit service club. (a) A golf country club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a golf country club but only by members and their guests. Notwithstanding section 30-23, in a no-permit town a golf country club permit shall allow the retail sale of alcoholic liquor to be consumed on the premises by members of a nonprofit service club located in such town at a function of such club held at such golf country club. The annual fee for a golf country club permit shall be eight hundred dollars.

(b) A nonprofit service club as used in subsection (a) of this section shall include the Kiwanis Club, Rotary Club, Exchange Club, Lions Club, volunteer fire department association, police benevolent association and religious clubs located in the same no-permit town as the golf country club.

(c) "Golf country club" means (1) an association of persons, whether incorporated or unincorporated, that has been in existence as a bona fide organization for at least one year prior to applying for a permit issued as provided by this chapter, or that at the time of applying for the permit is in existence as a bona fide organization and has not less than twenty members who have paid annual membership fees or dues and have signed affidavits of their intention to remain members of the association for not less than one year after that time, not including associations organized for any commercial or business purpose the object of which is money profit, which maintains a golf course of not less than eighteen holes and a course length of at least fifty-five hundred yards and a club house with facilities that include locker rooms, a dining room and a lounge; provided the club shall file with the department, upon request, within ten days of February first in each year, a list of the names and residences of its members, and shall similarly file, within ten days of the election of any additional member, his name and address, and provided its aggregate annual membership fees or dues and other income, exclusive of any proceeds of the sale of alcoholic liquor, shall be sufficient to defray the annual rental of its leased or rented premises, or, if the premises are owned by the club, shall be sufficient to meet the taxes, insurance and repairs and the interest on any mortgage thereof; and provided, further, its affairs and management shall be conducted by a board of directors, executive committee or similar body chosen by the members at their annual meeting, and no member or any officer, agent or employee of the club shall be paid or, directly or indirectly, shall receive in the form of salary or other compensation any profits from the disposition or sale of alcoholic liquor to the club or to the members of the club or its guests introduced by members, beyond the amount of such salary as may be fixed and voted at annual meetings by the members or by its directors or other governing body and as reported by the club to the department, within three months after the annual meeting, and as is, in the judgment of the

department, reasonable and proper compensation for the services of such member, officer, agent or employee; or (2) an association of persons, whether incorporated or unincorporated, which has been in existence as a bona fide organization for at least one year prior to applying for a permit issued as provided by this chapter, or which at the time of applying for the permit is in existence as a bona fide organization and has not less than twenty members who have paid annual membership fees or dues and is directly or indirectly wholly owned by a corporation which is and continues to be nonprofit and to which the Internal Revenue Service has issued a ruling classifying it as an exempt organization under Section 501(c) of the Internal Revenue Code of 1986, or any subsequent corresponding internal revenue code of the United States as from time to time amended, which maintains a golf course of not less than eighteen holes and a course length of at least fifty-five hundred yards and a club house with facilities which include locker rooms, a dining room and a lounge; provided the club shall file with the department, upon request, within ten days of February first in each year, a list of the names and residences of its members, and shall similarly file, within ten days of the admission of any additional member, his name and address. The nonprofit corporation shall demonstrate to the commission an ability to pay any operating deficit of the golf country club, exclusive of any proceeds of the sale of alcoholic liquor; and provided, further, the affairs and the management of the nonprofit corporation are conducted by a board of directors, executive committee or similar body at least forty per cent of the members of which are chosen by the members of the nonprofit corporation at their annual meeting and the balance of the members of the board of directors are professionals chosen for their knowledge of the business of the nonprofit corporation, and all moneys earned by the golf country club shall be used to defray its expenses of operation or for charitable purposes, and any balance shall be directly or indirectly remitted to the nonprofit corporation.

(February, 1965, P.A. 553, S. 7; P.A. 73-601, S. 2, 3; P.A. 75-641, S. 8; P.A. 93-139, S. 23.)

Sec. 30-24b. Auxiliary club members. Auxiliary members who are spouses of members or surviving spouses of former deceased members of any club which holds a permit under the provisions of this chapter may be allowed to participate in all the privileges of such club, by vote of such club members and shall not be considered guests for purposes of the general statutes or regulations of the Department of Consumer Protection.

(1969, P.A. 358; P.A. 75-193; P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 30, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-25. Special club permit for picnics. (a) A special club permit shall allow the sale of alcoholic liquor by the drink at retail to be consumed at the grounds of an outdoor picnic conducted by a club or golf country club. Such permits shall be issued only to holders of club or golf country club permits and shall be issued on a daily basis subject to the hours of sale in section 30-91, and shall be the same as provided therein for clubs and golf country clubs. The exception that applies to railroad and boat permits in section 30-48 shall apply to such a special club permit. No such club or golf country club shall be granted more than four such special club permits during any one calendar year.

(b) The Department of Consumer Protection shall have full discretion in the issuance of such special club permits as to suitability of place and may make any regulations with respect thereto.

(c) The fee for such a special club permit shall be twenty-five dollars per day.

(June, 1955, S. 2166d; February, 1965, P.A. 553, S. 6; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 24; P.A. 95-195, S. 31, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-25a. Club permit in no-permit towns. Notwithstanding any provision of part III of this chapter, but subject to the approval by referendum of the municipality wherein the golf club is located, a club permit shall be granted by the Department of Consumer Protection, in the manner provided in section 30-39, to any golf club which has been in existence as a bona fide organization for at least five years and which maintains a golf course of not less than eighteen holes and a course length of at least fifty-five hundred yards, and a club house with full facilities, including locker rooms, a restaurant and a lounge, to serve only members and their guests, but no outside parties or groups of nonmembers. The cost of such referendum shall be borne by such golf club.

(1963, P.A. 606; P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 32, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-26. Tavern permit. A tavern permit shall allow the retail sale of beer and of cider not exceeding six per cent of alcohol by volume and wine to be consumed on the premises of a tavern with or without the sale of food. "Tavern" means a place where beer and wine are sold under a tavern permit. The annual fee for a tavern permit shall be two hundred forty dollars.

(1949 Rev., S. 4246; 1951, S. 2160d; 1969, P.A. 349, S. 3; 1972, P.A. 233, S. 3; P.A. 80-198, S. 3; P.A. 93-139, S. 25.)

Sec. 30-27. Taverns not to be screened from street. Section 30-27 is repealed.

(1949 Rev., S. 4247; P.A. 77-112, S. 2.)

Sec. 30-28. Railroad permit. A railroad permit may be granted to any corporation that operates a railway in this state or that operates club, parlor, dining, buffet or lounge cars upon the lines of any such railway in this state. Such permit shall allow the sale and public consumption of alcoholic liquor in any club, parlor, dining, buffet or lounge car of a passenger train operated in this state. A railroad permit shall be subject to all the privileges, obligations and penalties provided for in this chapter except that it shall be issued to a corporation instead of to a person and if it is revoked, another application may be made by the corporation for the issuance of another railroad permit at any time after the expiration of one year after such revocation. The annual fee for a railroad permit shall be four hundred dollars.

(1949 Rev., S. 4248; P.A. 93-139, S. 26.)

Sec. 30-28a. Airline permit. (a) An airline permit shall allow such permittee to purchase from a holder of a wholesaler permit alcoholic liquor as is permitted to be sold by a holder of a package store permit and in addition alcoholic liquor in miniatures of one and six-tenths and two and zero-tenths ounces or of forty-six and eight-tenths and ninety-three and seven-tenths milliliters.

(b) An airline permit, being granted to any airline, shall permit the sale or dispensing or consumption of alcoholic liquor to passengers only and while in actual transit on any aircraft being operated on regularly scheduled flights by such airline.

(c) The annual fee for an airline permit shall be four hundred dollars.

(P.A. 73-543, S. 3, 14; P.A. 75-259, S. 3, 8; P.A. 93-139, S. 27.)

Sec. 30-29. Boat permit. A boat permit shall allow the sale and public consumption of alcoholic liquor by passengers with or without meals upon any one designated boat engaged in the transportation of passengers for hire to or from any port in this state. The annual fee for a boat permit shall be four hundred dollars.

(1949 Rev., S. 4249; P.A. 93-139, S. 28.)

Sec. 30-30. Broker's permit. A broker's permit shall allow the holder thereof to sell warehouse receipts, certificates or other documents pertaining to alcoholic liquor to permittees within this state upon approval of the Department of Consumer Protection of such transactions. The annual fee for a broker's permit shall be one hundred sixty dollars.

(1949 Rev., S. 4250; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 29; P.A. 95-195, S. 33, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-31. Sale of warehouse receipts for alcoholic beverages. Any bank, trust company or financial institution owning or possessing warehouse receipts for alcoholic beverages acquired as security for a loan may sell such warehouse receipts to a permittee authorized to sell such alcoholic beverages or such warehouse receipts. Any sale or sales made under the provisions of this section shall be subject to approval by the Department of Consumer Protection.

(1949 Rev., S. 4251; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 34, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-32. Warehouse permit. A warehouse bottling permit shall allow the storage and bottling of alcoholic liquor on the premises of a bonded warehouse, but no such permit shall be granted unless the place has received the approval of the Department of Consumer Protection. A warehouse storage permit shall allow the storage of alcoholic liquor on the premises of a bonded warehouse, but no such permit shall be granted unless the place has received the approval of the department. The annual fee for a warehouse bottling permit shall be one hundred sixty dollars and for a warehouse storage permit shall be thirty-five dollars.

(1949 Rev., S. 4252; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 30; P.A. 95-195, S. 35, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-33. Concession permit. A concession permit shall allow the sale and consumption of beer or wine on the premises of any fair grounds, ball park, amusement park, indoor-outdoor amphitheater, outdoor amphitheater contiguous to and under the same ownership as an amusement park, public golf course or sports arena provided no sales of alcoholic liquor shall occur within one hour of the scheduled end of a performance at an indoor-outdoor amphitheater constructed to seat not less than fifteen thousand people. A concession permit shall also allow the sale and consumption of alcohol or spirits in all enclosed nonseating areas within an indoor-outdoor amphitheater. Such areas shall be enclosed by a fence or wall not less than thirty inches high and separate from each other. Such permit shall be issued in the discretion of the Department of Consumer Protection and shall be effective only in accordance with a schedule of hours and days determined by the department for each such permit within the limitation of hours and days fixed by law. As used in this section, "public golf course" means a golf course of not less than nine holes and a course length of not less than twenty-seven hundred fifty yards. The fee for a concession permit shall be as follows:

For a period of one year, two hundred forty dollars; for a period of six months, one hundred sixty dollars; and for a period of one day, twenty-five dollars.

(1949 Rev., S. 4253; P.A. 76-394, S. 2, 4; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 86-151, S. 1; P.A. 89-155, S. 2, 4; P.A. 93-139, S. 31; P.A. 95-161, S. 8, 9; 95-195, S. 36, 83; 95-336, S. 4, 5; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-33a. Coliseum permit. Coliseum concession permit. Special rule re backers. (a) A coliseum permit shall allow the retail sale of alcoholic liquor in any portion of the coliseum, including the coliseum club, to be consumed on the premises of the coliseum except that the retail sale of alcoholic liquor shall not be permitted under this permit in the arena of the coliseum during a sporting event, concert, exhibition, trade show, entertainment presentation or similar function and in any public restaurant located on the premises. A coliseum permit shall allow the retail sale of alcoholic liquor in the arena of the coliseum during a convention, banquet, meeting, dance, fund-raising function or similar function provided sales of alcoholic liquor shall occur at a coliseum within one hour of the scheduled end of a function at such coliseum. The annual fee for a coliseum permit shall be two thousand dollars.

(b) A coliseum concession permit shall allow the retail sale and consumption of beer, in paper containers only, at sporting events within the arena and at concession stands within the arena or outside the arena but directly connected to the arena or in areas adjacent to the hallways for public passage around the arena. The coliseum concession permit shall allow the retail sale and consumption of beer, in paper containers only, at such concession stands only during (1) a trade show for which a ticket is required for admission; (2) an exhibition for which a ticket is required for admission or (3) a convention. No sales of beer shall occur at a coliseum concession stand within one hour of the scheduled end of a function at such coliseum. The annual fee for a coliseum concession permit shall be one thousand dollars.

(c) Notwithstanding any provision of this chapter to the contrary, neither the permittee nor the backer of a coliseum permit or a coliseum concession permit need be a proprietor if the coliseum for which such permit is being applied for is owned by a municipality or a municipal authority. The Department of Consumer Protection shall have discretionary powers to waive requirements where physical conditions make compliance an impossibility.

(d) "Coliseum" means a structure which contains an enclosed roofed arena constructed to seat not less than two thousand people, and any related facility which is a part of, adjacent to or connected therewith by enclosed passageways, which structure is used for sporting events, exhibitions, trade shows, entertainment presentations, conventions, banquets, meetings, dances or fund-raising functions or similar functions or a structure such as a minor league baseball stadium built around an athletic field without an enclosed roof arena constructed to seat not less than five thousand people and containing at least ten thousand square feet of enclosed buildings, and any related facility which is part of, adjacent to or connected therewith by enclosed passageways, which structure is used for sporting events, exhibitions, trade shows, entertainment presentations, conventions, banquets, meetings, dances or fund-raising functions or similar functions. "Arena" means all that portion of a coliseum containing a floor area enclosed by fixed seats. "Coliseum club" means an enclosed facility within a coliseum kept, used and maintained as a place where alcoholic liquor or food is served for sale at retail for consumption on the coliseum premises but which does not necessarily serve hot meals and need not have a kitchen or dining room but shall have employed therein at all times an adequate number of employees who shall serve only the following categories of people: (1)

Persons who are in the coliseum to attend an event or function and (2) persons who are in the coliseum club to attend a private party or banquet.

(P.A. 73-533, S. 2, 9; P.A. 75-641, S. 9; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 32; P.A. 95-161, S. 4, 9; 95-195, S. 37, 83; 95-336, S. 3, 5; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-33b. Special sporting facility permits. (a) A special sporting facility restaurant permit shall allow the retail sale of alcoholic liquor at any location in a special sporting facility kept, used, maintained, advertised and held out to the public to be a place where hot meals are regularly served and which has an adequate and sanitary kitchen and dining room and has employed therein at all times an adequate number of employees, provided such alcoholic liquor is to be consumed within the special sporting facility. The annual fee for a special sporting facility restaurant permit shall be one thousand two hundred dollars.

(b) A special sporting facility employee recreational permit shall allow the retail sale of beer in an establishment located within a special sporting facility and created to provide eating, sleeping and recreational accommodations to any person employed within such special sporting facility, provided such beer is to be consumed within such special sporting facility. The annual fee for a special sporting facility employee recreational permit shall be two hundred forty dollars.

(c) A special sporting facility guest permit shall allow the retail sale of alcoholic liquor at any location in a special sporting facility reserved for guests approved by the holder of such permit and by the operator of such special sporting facility, provided such alcoholic liquor is to be consumed within such special sporting facility. The annual fee for a special sporting facility guest permit shall be two hundred forty dollars.

(d) A special sporting facility concession permit shall allow the retail sale of beer and wine at locations within a special sporting facility, provided such beer and wine is to be consumed within such special sporting facility. The annual fee for a special sporting facility concession permit shall be two hundred forty dollars.

(e) A special sporting facility bar permit shall allow the retail sale of alcoholic liquor at any location within a special sporting facility, provided such alcoholic liquor is to be consumed within such special sporting facility. The annual fee for a special sporting facility bar permit shall be three hundred dollars.

(f) Notwithstanding the provisions of section 30-52, a coliseum concession permit that is issued to a municipality or a municipal authority shall allow the sale and consumption of beer and wine at jai alai frontons located within the boundaries of the municipality at such times when the municipality is a lessee or has physical control of the fronton; provided no such coliseum concession permit shall be issued or valid after December 31, 1982. The existence of another permit for the same fronton shall not bar sales under the coliseum concession permit and sales under a coliseum concession permit shall not bar the issuance or operation of any other permit on the fronton premises.

(g) Any of the special sporting facility permits established under subsections (a) to (e), inclusive, of this section shall allow the retail sale of alcoholic liquor by such special sporting facility to any bona fide, nonprofit organization that rents, leases or otherwise uses such facility for social gatherings and events sponsored by such organization.

(h) "Special sporting facility" means all of the land and buildings in which the principal business conducted is racing or jai alai exhibitions with pari-mutuel betting licensed by the gaming policy board.

(P.A. 74-307, S. 2; P.A. 78-344, S. 3, 4; P.A. 80-247, S. 1, 2; P.A. 93-139, S. 33.)

Sec. 30-33c. Special outing facility permits. (a) A special outing facility beer permit shall allow the retail sale of beer by a special outing facility to be consumed on its premises by patrons.

(b) A special outing facility liquor permit shall allow the retail sale of alcoholic liquor by a special outing facility to be consumed on its premises by patrons.

(c) The annual fee for a special outing facility beer permit shall be two hundred forty dollars and for a special outing facility liquor permit shall be one thousand two hundred dollars.

(d) "Special outing facility" means a facility designed, constructed and used for corporate and private parties, sporting events, concerts, exhibitions, trade shows, entertainment presentations, conventions, banquets, meetings, dances, fund raising events and similar functions, located on a tract of land of not less than twenty acres containing an enclosed roofed pavilion constructed to seat not less than two hundred fifty people, where hot meals are regularly served in an adequate and sanitary dining area, such meals having been prepared in an adequate and sanitary kitchen on the premises, and employing an adequate number of employees who shall serve only persons who are at such outing facility to attend an event, function, private party or banquet.

(P.A. 93-139, S. 37.)

Sec. 30-34. Military permit. A military permit shall allow the retail sale of beer at any camp or military installation used and controlled by the Connecticut National Guard or the state guard. The annual fee for a military permit shall be fifteen dollars.

(1949 Rev., S. 4254; P.A. 93-139, S. 34.)

Sec. 30-35. Temporary permit for outings, picnics or social gatherings. A temporary beer permit shall allow the sale of beer and a temporary liquor permit shall allow the sale of alcoholic liquor at any outing, picnic or social gathering conducted by a bona fide noncommercial organization, which organization shall be the backer of the permittee under such permit. The profits from the sale of such beer or alcoholic liquor shall be retained by the organization conducting such outing, picnic or social gathering and no portion thereof shall be paid, directly or indirectly, to any individual or other corporation. Such permit shall be issued subject to the approval of the Department of Consumer Protection and shall be effective only for the time limited by the department. The combined total of temporary beer permits and temporary liquor permits issued to an organization shall not exceed six during any one calendar year. The fee for a temporary beer permit shall be fifteen dollars per day and for a temporary liquor permit shall be twenty-five dollars per day.

(1949 Rev., S. 4255; P.A. 76-370, S. 1; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 35; P.A. 95-195, S. 38, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; 04-230, S. 2.)

Sec. 30-35a. Nonprofit theater permit. (a) A nonprofit theater permit shall allow the retail sale of alcoholic liquor by a nonprofit theater to be consumed on its premises by patrons on any day on which a performance is given and twelve other days per year; provided the proceeds derived from such sales, except for reasonable operating costs, shall be used in furtherance of the charitable, literary and educational activities of such theater. The annual fee for a nonprofit theater permit shall be two hundred dollars.

(b) "Nonprofit theater" means an organization organized for nonprofit, charitable, literary and educational purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code, and which carries on a program of performing arts for the general public at a theater located on its premises.

(1967, P.A. 725, S. 3; P.A. 93-139, S. 36; P.A. 99-54.)

Sec. 30-35b. Ninety-day provisional permit. A ninety-day provisional permit shall allow the retail sale of alcoholic liquor by any applicant and his backer, if any, who has made application for a liquor permit pursuant to section 30-39 and may be issued at the discretion of the Liquor Control Commission. If said applicant or his backer, if any, causes any delay in the investigation conducted by the Department of Consumer Protection pursuant to said section, the ninety-day provisional permit shall cease immediately. Only one such permit shall be issued to any applicant and his backer, if any, for each location of the club or place of business which is to be operated under such permit and such permit shall be nonrenewable but may be extended due to delays not caused by the applicant. The fee for such ninety-day permit shall be five hundred dollars.

(P.A. 91-353, S. 3, 7; May 25 Sp. Sess. P.A. 94-1, S. 60, 130; P.A. 95-161, S. 7, 9; 95-195, S. 39, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-36. Druggist permit. A druggist permit may be issued by the Department of Consumer Protection to a drug store proprietor. No druggist permit shall be issued covering a new drug store or a new location for an old drug store until the Commission of Pharmacy is satisfied that a drug store at such location is necessary to the convenience and best interest of the public. A druggist permit (1) shall allow the use of alcoholic liquors for the compounding of prescriptions of physicians, advanced practice registered nurses, physician assistants and dentists and for the manufacturing of all United States Pharmacopoeia and National Formulary preparations and all other medicinal preparations, (2) shall allow the retail sale of alcoholic liquor in containers of not less than eight ounces or one hundred eighty-seven and one-half milliliters and not more than one quart or one liter capacity except that beer may be sold in containers of not more than forty ounces or twelve hundred milliliters capacity, to any person, and (3) shall forbid the drinking of such alcoholic liquor on the premises of any drug store. Such permittee shall keep all alcoholic liquors in compartments, which compartments shall be securely locked except during those hours when the sale of alcoholic liquor is permitted by law. The holder of a druggist permit shall not display any alcoholic liquors or containers, marked or labeled or in any other way suggesting the contents of intoxicating liquors, in the windows of the permit premises. The Commission of Pharmacy shall revoke or suspend the pharmacy license of any pharmacist upon whose premises any violation of any provision of this section occurs. The annual fee for a druggist permit shall be four hundred dollars plus the sum required by section 30-66.

(1949 Rev., S. 4257; March, 1958, P.A. 27, S. 21; 1967, P.A. 109, S. 8; P.A. 75-259, S. 4, 8; P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-367, S. 4, 9; P.A. 82-332, S. 8, 13; P.A. 84-478, S. 3, 5; P.A. 93-139, S. 38; P.A. 95-195, S. 40, 83; P.A. 96-19, S. 4; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-37. Sales on prescription. Any pharmacy licensed by the Commission of Pharmacy may fill the prescription of a licensed physician, advanced practice registered nurse, physician assistant or dentist for alcoholic liquors at any time without regard to the vote of any town prohibiting the sale of such liquors and may use alcoholic liquors for the compounding of such prescriptions and for the manufacture of all United States Pharmacopoeia and National Formulary preparations and all other medicinal preparations without the necessity of obtaining a permit from the Department of Consumer Protection, provided each such prescription shall include the name and address of the person for whom it is prescribed and shall be signed with his full name by the person issuing such prescription. Each such prescription shall be filled only once, and the person making a sale on such prescription shall write on the face thereof the number of such prescription and the date of the sale or delivery of such liquor and shall keep such prescription on file and available at all reasonable times for inspection. All alcoholic liquors sold by licensed pharmacies on prescriptions alone shall be kept in compartments, which compartments shall be securely locked except when such liquors are being used in the compounding of the prescriptions.

(1949 Rev., S. 4258; 1967, P.A. 109, S. 9; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 39; P.A. 95-195, S. 41, 83; P.A. 96-19, S. 5; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-37a. Nonprofit public museum permit. (a) A nonprofit public museum permit shall allow the retail sale of alcoholic liquor by a nonprofit public museum only on land and in buildings that are subject to the care, custody and control of its board of trustees to be consumed on its premises by its patrons on any day on which such nonprofit public museum is open to visitors from the general public. Proceeds derived from such sales, except for reasonable operating costs, shall be used in furtherance of the charitable, literary and educational activities of such nonprofit public museum. Sections 30-9 to 30-13, inclusive, and 30-91, insofar as said sections refer to local regulations of sales, shall not apply to such permit. The annual fee for a nonprofit public museum permit shall be two hundred dollars.

(b) "Nonprofit public museum" means any public museum organized for nonprofit, charitable, literary and educational purposes.

(1969, P.A. 724, S. 3; P.A. 91-118, S. 2; P.A. 93-139, S. 40; P.A. 96-7, S. 2.)

Sec. 30-37b. Charitable organization permit. A charitable organization permit shall allow the retail sale of alcoholic liquor by the drink to be consumed on the premises owned or leased by the organization. Such permit shall be issued on a daily basis subject to the hours of sale in section 30-91 and only four such permits shall be issued to the same charitable organization in any calendar year. The fee for a charitable organization permit shall be twenty-five dollars.

(1971, P.A. 254, S. 3; P.A. 93-139, S. 41.)

Sec. 30-37c. Bowling establishment permits. Racquetball facility permit. (a) A bowling establishment permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a commercial bowling establishment containing ten or more lanes. A bowling establishment permit for beer and wine shall allow the retail sale of beer and wine to be consumed on the premises of a commercial bowling establishment containing ten or more lanes. The annual fee for a bowling establishment permit shall be two thousand dollars and for a bowling establishment permit for beer and wine shall be three hundred fifty dollars.

(b) A racquetball facility permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a commercial racquetball facility containing five or more courts. The annual fee for a racquetball facility permit shall be two thousand dollars.

(P.A. 76-347, S. 2; P.A. 83-283, S. 2, 5; 83-434, S. 2, 4; P.A. 93-139, S. 42; P.A. 01-17, S. 2.)

Sec. 30-37d. Nonprofit public television corporation permit. (a) A nonprofit public television corporation permit shall allow the retail sale of beer and wine at auction, provided the auction is held as part of a fund-raising event to benefit the tax-exempt activities of the nonprofit public television corporation. Each permit shall allow the sale of wine at a single auction only. A maximum of three such permits may be issued to one nonprofit public television corporation in any calendar year. The fee for a nonprofit public television corporation permit shall be twenty-five dollars for each permit.

(b) "Nonprofit public television corporation" means a television broadcasting corporation organized for nonprofit, literary and educational purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt organization under Section 501(c)(3) of the Internal Revenue Code.

(P.A. 83-152, S. 1; P.A. 93-139, S. 43; P.A. 96-7, S. 1, 5.)

Sec. 30-37e. Airport restaurant permit. Airport bar permit. Airport airline club permit. (a) An airport restaurant permit shall allow the retail sale of alcoholic liquor at any location in the Bradley International Airport passenger terminal complex or any location adjacent to and attached by common partition to said complex kept, used, maintained, advertised and held out to the public to be a place where hot meals are regularly served and which has an adequate and sanitary kitchen and dining room and has employed therein at all times an adequate number of employees, provided such alcoholic liquor is to be consumed on the premises. The annual fee for an airport restaurant permit shall be one thousand two hundred dollars.

(b) An airport bar permit shall allow the retail sale of alcoholic liquor at any location in the Bradley International Airport passenger terminal complex or any location adjacent to and attached by common partition to said complex, with or without the sale of food, for consumption on the premises. The annual fee for an airport bar permit shall be three hundred dollars.

(c) An airport airline club permit shall allow the retail sale of alcoholic liquor at any location in the Bradley International Airport passenger terminal complex or any location adjacent to and attached by common partition to said complex, with or without the sale of food, for consumption on the premises by airline club members or their guests. Any airline or other concessionaire under lease or other agreement with the state of Connecticut may receive an airport airline club permit. The annual fee for an airport airline club permit shall be six hundred fifty dollars.

(P.A. 84-494, S. 2, 11; P.A. 87-321, S. 2, 6; P.A. 93-139, S. 44.)

Sec. 30-37f. Airport permit. Leasing and concessions. Access requirements. Excepted from local option, discretionary disapproval. (a) Notwithstanding the provisions of any general statute or regulation to the contrary, (1) the state of Connecticut, as owner or lessor of premises at Bradley International Airport, shall be permitted to enter into an arrangement with any concessionaire or lessee holding a permit or permits at Bradley

International Airport, and receive payments from such concessionaire or lessee, without regard to the level or percentage of gross receipts from the gross sales of alcoholic liquor by such concessionaire or lessee; (2) any person may be a permittee for more than one airport permit or class of airport permit; and (3) any area subject to a permit in Bradley International Airport that is contiguous to or within any concourse area shall not be required to provide a single point of egress or ingress or to effectively separate the bar area or any dining area from the concourse area by means of partitions, fences, or doors, provided that a permittee of such area may be required by the Department of Consumer Protection to provide a barrier to separate the back bar area from the concourse area to prevent public access to the portion of the back bar area from which liquor is dispensed, if physically practicable.

(b) Sections 30-9 to 30-13a, inclusive, section 30-23, subdivision (2) of subsection (b) of section 30-39, subsection (c) of section 30-39 and sections 30-44, 30-46, 30-48a and 30-91a shall not apply to any class of airport permit.

(P.A. 84-494, S. 9, 11; P.A. 87-321, S. 3, 6; P.A. 93-83, S. 2; P.A. 95-195, S. 42, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-37g. Nonprofit golf tournament permit. A nonprofit golf tournament permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a golf country club at which a golf tournament, sponsored by an organization that is exempt from taxation under Section 501(c)(4) of the Internal Revenue Code of 1986 or any subsequent corresponding internal revenue code of the United States, as from time to time amended, is being conducted. Such permit shall be issued to any such organization for a period not to exceed eight days. Only one such permit shall be issued in any calendar year. Such permit shall allow the operation of not more than twenty-five consumer bars on the grounds of a golf country club. The fee for a nonprofit golf tournament permit shall be two hundred dollars.

(P.A. 85-380, S. 5, 12; P.A. 87-61, S. 1, 2; P.A. 89-211, S. 31; P.A. 93-139, S. 45.)

Sec. 30-37h. Nonprofit corporation permit. A nonprofit corporation permit shall allow the retail sale of wine at auction, provided the auction is held as part of a fund-raising event to benefit the tax-exempt activities of the nonprofit corporation. Each permit shall allow the sale of wine at a single auction only. A maximum of one such permit may be issued to each nonprofit corporation in any calendar year, except as provided in section 30-37d. The fee for a nonprofit corporation permit shall be twenty-five dollars.

(P.A. 88-364, S. 99, 123; P.A. 93-139, S. 46.)

Sec. 30-37i. Hotel guest bar permit. (a) A hotel guest bar permit, available to a hotel permittee, shall allow the retail sale of alcoholic liquor located in registered hotel guest rooms. The annual fee for a hotel guest bar permit shall be fifty dollars for each hotel room equipped for the retail sale of alcoholic liquor.

(b) A hotel guest bar shall: (1) Be accessible only by key, magnetic card or similar device provided by the hotel to a registered guest twenty-one years of age or older; and (2) restocked no earlier than nine o'clock a.m. and no later than one o'clock a.m.

(c) The Department of Consumer Protection shall adopt regulations, in accordance with the provisions of chapter 54, for the operation of hotel guest bars.

(93-326, S. 1; P.A. 95-195, S. 43, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-37j. Caterer liquor permit. Notice requirements. Exemptions. (a) A caterer liquor permit shall allow a person regularly engaged in the business of providing food and beverages to others for service at private gatherings or at special events to sell and serve alcoholic liquor for on-premises consumption at any activity, event or function for which such person has been hired. The annual fee for a caterer liquor permit shall be three hundred fifty dollars.

(b) The holder of a caterer liquor permit shall, on a form prescribed by the Department of Consumer Protection or electronically, notify the department, in writing, of the date, location and hours of each event at which alcohol is served under such permit at least one business day in advance of such event. If the holder of a caterer liquor permit is unable to provide the written notice required under this section due to exigent circumstances, such holder may provide notice to the department by telephone of the date, location and hours of each event at which alcohol is served under such permit.

(c) Notwithstanding the provisions of subsection (a) of section 30-48, a backer or holder of a caterer liquor permit may be a backer or holder of any other permit issued under the provisions of this chapter except a manufacturer permit issued under section 30-16 or a wholesaler permit issued under section 30-17.

(d) The holder of a caterer liquor permit and any other permit issued under the provisions of this chapter that prohibits the off-premises consumption of alcoholic liquor shall be exempt from such prohibition for the purposes of conducting such holder's catering business only.

(e) The holder of a caterer liquor permit shall be exempt from the provisions of sections 30-38, 30-52 and 30-54 and from the requirements to affix and maintain a placard, as provided in subdivision (3) of subsection (b) of section 30-39.

(P.A. 99-159, S. 1, 2; P.A. 00-192, S. 78, 102; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-37k. Casino permit. (a) As used in this section and subsection (a) of section 30-91: (1) "Casino" means the premises within which a gaming facility is operated with other facilities, including, but not limited to, restaurants, hotels, nightclubs, bingo halls or convention centers; and (2) "gaming facility" means a room or rooms within which class III gaming, as defined in the Indian Gaming Regulatory Act, P.L. 100-497, 25 USC 2701, et seq., is legally conducted.

(b) A casino permit shall allow the retail sale of alcoholic liquor to be consumed on the premises of a casino.

(c) A casino permit shall allow the manufacture, storage and bottling of beer to be consumed on the premises with or without the sale of food, provided the holder of a casino permit produces at least five thousand gallons of beer on the premises annually.

(d) A casino permit shall allow the retail sale of alcoholic liquor by means of a guest bar located in hotel guest rooms provided such guest bar is: (1) Accessible only by key, magnetic card or similar device provided by the hotel to a registered guest twenty-one years of age or older; and (2) restocked no earlier than nine o'clock a.m. and no later than one o'clock a.m.

(e) The annual fee for a casino permit shall be two thousand four hundred dollars plus an additional fifty dollars for each guest room containing a guest bar.

(P.A. 00-192, S. 76, 102.)

Sec. 30-38. Storage of liquor. Approval of facilities. Each permit granted under the provisions of section 30-16, 30-17, 30-20, 30-20a, 30-21, 30-21b, 30-22, 30-22a, 30-23, 30-24a, 30-26, 30-28, 30-28a, 30-29, 30-33a, 30-33b, 30-36, 30-37c or 30-37e, shall also, under the regulations of the Department of Consumer Protection, allow the storage, on the premises and at one other secure location registered with and approved by the department, of sufficient quantities of alcoholic liquor respectively allowed to be sold under such permits as may be necessary for the business conducted by the respective permittees or their backers; but no such permit shall be granted under the provisions of section 30-16 or 30-17 unless such storage facilities are provided and the place of storage receives the approval of the department as to suitability, and thereafter no place of storage shall be changed nor any new place of storage utilized without the approval of the department.

(1949 Rev., S. 4256; February, 1965, P.A. 553, S. 8; 1972, P.A. 68, S. 3; P.A. 73-533, S. 5; 73-543, S. 6, 14; P.A. 74-307, S. 5; P.A. 76-347, S. 3; P.A. 77-614, S. 165, 587, 610; P.A. 78-82, S. 5; 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 82-332, S. 3, 13; P.A. 84-494, S. 4, 11; P.A. 95-195, S. 44, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-38a. Transfer of liquor between retail permit premises under common ownership. In all cases where two or more retail liquor permit premises are in common or cooperative ownership, or where a majority of the capital stock having voting privileges of corporations owning together two or more retail liquor permit premises is held by the same person or persons, the permittees thereof may transfer any alcoholic liquor from one such retail premise to another such retail premise, for the purpose of inventory equalization or other business convenience, except when such permittee is a delinquent retailer as said term is used in subsection (b) of section 30-48.

(1959, P.A. 237; 1961, P.A. 267; P.A. 75-239, S. 1, 3; P.A. 93-55, S. 6; 93-139, S. 47.)

Sec. 30-39. Applications for permits, renewals. Fees. Publication, remonstrance, hearing. (a) For the purposes of this section, the "filing date" of an application means the date upon which the department, after approving the application for processing, mails or otherwise delivers to the applicant a placard containing such date.

(b) (1) Any person desiring a liquor permit or a renewal of such a permit shall make a sworn application therefor to the Department of Consumer Protection upon forms to be furnished by the department, showing the name and address of the applicant and of the applicant's backer, if any, the location of the club or place of business which is to be operated under such permit and a financial statement setting forth all elements and details of any business transactions connected with the application. Such application shall include a detailed description of the type of live entertainment that is to be provided. A club or place of business shall be exempt from providing such detailed description if the club or place of business (A) was issued a liquor permit prior to October 1, 1993, and (B) has not altered the type of entertainment provided. The application shall also indicate any crimes of which the applicant or the applicant's backer may have been convicted. Applicants shall 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, except that local building and zoning requirements and local ordinances concerning hours and days of sale shall not apply to any class of airport permit. The State Fire Marshal or the marshal's certified designee shall be responsible for approving compliance with the State Fire Code at Bradley International Airport. Any person desiring a permit provided for in section 30-33b shall file a copy of such person's license from the Division of Special Revenue or the Gaming Policy Board with such application. The

department may, at its discretion, conduct an investigation to determine whether a permit shall be issued to an applicant. (2) The applicant shall pay to the department a nonrefundable application fee, which fee shall be in addition to the fees prescribed in this chapter for the permit sought. An application fee shall not be charged for an application to renew a permit. The application fee shall be in the amount of ten dollars for the filing of each application for a permit by a charitable organization, including a nonprofit public television corporation, a nonprofit golf tournament permit, a temporary permit or a special club permit; and for all other permits in the amount of one hundred dollars for the filing of an initial application. Any permit issued shall be valid only for the purposes and activities described in the application. (3) The applicant, immediately after filing an application, shall give notice thereof, with the name and residence of the permittee, the type of permit applied for and the location of the place of business for which such permit is to be issued and the type of live entertainment to be provided, all in a form prescribed by the department, by publishing the same in a newspaper having a circulation in the town in which the place of business to be operated under such permit is to be located, at least once a week for two successive weeks, the first publication to be not more than seven days after the filing date of the application and the last publication not more than fourteen days after the filing date of the application. The applicant shall affix, and maintain in a legible condition upon the outer door of the building wherein such place of business is to be located and clearly visible from the public highway, the placard provided by the department, not later than the day following the receipt of the placard by the applicant. If such outer door of such premises is so far from the public highway that such placard is not clearly visible as provided, the department shall direct a suitable method to notify the public of such application. When an application is filed for any type of permit for a building that has not been constructed, such applicant shall erect and maintain in a legible condition a sign not less than six feet by four feet upon the site where such place of business is to be located, instead of such placard upon the outer door of the building. The sign shall set forth the type of permit applied for and the name of the proposed permittee, shall be clearly visible from the public highway and shall be so erected not later than the day following the receipt of the placard. Such applicant shall make a return to the department, under oath, of compliance with the foregoing requirements, in such form as the department may determine, but the department may require any additional proof of such compliance. Upon receipt of evidence of such compliance, the department may hold a hearing as to the suitability of the proposed location. The provisions of this subdivision shall not apply to applications for airline permits, charitable organization permits, temporary permits, special club permits, concession permits, military permits, railroad permits, boat permits, warehouse permits, brokers' permits, out-of-state shippers' permits for alcoholic liquor and out-of-state shippers' permits for beer, coliseum permits, coliseum concession permits, special sporting facility restaurant permits, special sporting facility employee recreational permits, special sporting facility guest permits, special sporting facility concession permits, special sporting facility bar permits, nonprofit golf tournament permits, nonprofit public television permits and renewals. The provisions of this subdivision regarding publication and placard display shall also be required of any applicant who seeks to amend the type of entertainment upon filing of a renewal application. (4) In any case in which a permit has been issued to a partnership, if one or more of the partners dies or retires, the remaining partner or partners need not file a new application for the unexpired portion of the current permit, and no additional fee for such unexpired portion shall be required. Notice of any such change shall be given to the department and the permit shall be endorsed to show correct ownership. When any partnership changes by reason of the addition of one or more persons, a new application with new fees shall be required.

(c) Any ten persons who are at least eighteen years of age, and are residents of the town within which the business for which the permit or renewal thereof has been applied for, is intended to

be operated, or, in the case of a manufacturer's or a wholesaler's permit, any ten persons who are at least eighteen years of age and are residents of the state, may file with the department, within three weeks from the last date of publication of notice made pursuant to subdivision (3) of subsection (b) of this section for an initial permit, and in the case of renewal of an existing permit, at least twenty-one days before the renewal date of such permit, a remonstrance containing any objection to the suitability of such applicant or proposed place of business. Upon the filing of such remonstrance, the department, upon written application, shall hold a hearing and shall give such notice as it deems reasonable of the time and place at least five days before such hearing is had. The remonstrants shall designate one or more agents for service, who shall serve as the recipient or recipients of all notices issued by the department. At any time prior to the issuance of a decision by the department, a remonstrance may be withdrawn by the remonstrants or by such agent or agents acting on behalf of such remonstrants and the department may cancel the hearing or withdraw the case. The decision of the department on such application shall be final with respect to the remonstrance.

(d) No new permit shall be issued until the foregoing provisions of subsections (a) and (b) of this section have been complied with. Six months' or seasonal permits may be renewed, provided the renewal application and fee shall be filed at least twenty-one days before the reopening of the business, there is no change in the permittee, ownership or type of permit, and the permittee or backer did not receive a rebate of the permit fee with respect to the permit issued for the previous year.

(e) The department may renew a permit that has expired if the applicant pays to the department a nonrefundable late fee pursuant to subsection (c) of section 21a-4, which fee shall be in addition to the fees prescribed in this chapter for the permit applied for. The provisions of this subsection shall not apply to one-day permits, to any permit which is the subject of administrative or court proceedings, or where otherwise provided by law.

(1949 Rev., S. 4259; 1949, 1951, 1955, S. 2161d; 1961, P.A. 302; 1971, P.A. 206; P.A. 73-7; 73-543, S. 7, 14; 73-584; P.A. 74-10, S. 1, 2; 74-307, S. 6; P.A. 75-641, S. 10; 75-642, S. 3; P.A. 76-370, S. 3; P.A. 77-114, S. 1; 77-412; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 79-404, S. 40, 45; P.A. 80-482, S. 4, 170, 191, 342, 343, 345, 348; P.A. 82-332, S. 4, 13; P.A. 83-152, S. 4; 83-514; P.A. 84-494, S. 5, 11; P.A. 85-380, S. 7, 12; P.A. 93-56; 93-83, S. 1; 93-139, S. 48; P.A. 95-29, S. 1-3; 95-195, S. 45, 83; P.A. 99-194, S. 24; P.A. 03-235, S. 1; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 05-59, S. 1.; P.A. 06-94, S. 2.)

Sec. 30-39a. Bartender certificate. When required. Application; fee; refusal; exemption. Section 30-39a is repealed.

(P.A. 75-642, S. 2; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 82-332, S. 12, 13.)

Sec. 30-40. Second application. (a) No person, permittee or backer whose application for a permit has been denied on the ground that he is an unsuitable person may make another application for a permit within one year after such denial.

(b) No person, permittee or backer whose permit has been revoked may make an application for a permit under this chapter within one year after such revocation.

(1949 Rev., S. 4267; P.A. 93-139, S. 49; P.A. 97-175, S. 4.)

Secs. 30-41 and 30-42. Permit fees. Rebate of permit fees. Sections 30-41 and 30-42 are repealed.

(1949 Rev., S. 4260, 4279; 1951, 1953, S. 2153d, 2162d; November, 1955, S. N197; March, 1958, P.A. 21, S. 2; 1959, P.A. 152, S. 55; 1961, P.A. 567, S. 1; February, 1965, P.A. 179, S. 1; 553, S. 9; 1967, P.A. 365, S. 3; 725, S. 4; 1969, P.A. 724, S. 4; 1971, P.A. 254, S. 4; 1972, P.A. 68, S. 2; P.A. 73-104, S. 1, 2; 73-400; 73-533, S. 4; 73-543, S. 4, 14; P.A. 74-307, S. 7; 74-338, S. 33, 94; P.A. 75-598, S. 2; 75-641, S. 11; P.A. 76-347, S. 4; 76-370, S. 2; 76-394, S. 3, 4; P.A. 77-614, S. 165, 587, 614; P.A. 78-82, S. 4; 78-202, S. 4, 5; 78-279, S. 5, 6; 78-294, S. 4, 5; 78-303, S. 80, 85, 136; 80-482, S. 4, 170, 191, 345, 348; P.A. 81-119, S. 2, 3; 81-184; 81-287, S. 4; 81-367, S. 5, 9; 81-472, S. 108, 159; P.A. 82-299, S. 4, 6; P.A. 83-152, S. 5; 83-283, S. 3, 5; 83-434, S. 3, 4; P.A. 84-494, S. 6, 7, 11; P.A. 85-380, S. 2, 8, 12; P.A. 87-321, S. 4, 6; P.A. 88-364, S. 100, 123; P.A. 89-181, S. 4, 6; P.A. 91-118, S. 3; 91-353, S. 5, 7; June Sp. Sess. P.A. 91-14, S. 28, 30; P.A. 93-139, S. 73.)

Sec. 30-42a. Permit fee rebate. Whenever, by reason of any catastrophe, act of God or serious natural disaster, on or after January 1, 1993, a business for which a permit has been issued by the Department of Consumer Protection is discontinued, the Department of Consumer Protection shall upon written application of the permittee or his backer, rebate the unused amount of the permit fee on a daily basis during the period of such discontinuance or for the period until the permit premises are relocated or for the remainder of the permit period. The Comptroller is authorized to draw his order upon the Treasurer for the payment of such sums, less any taxes due the state from the permittee on the date of such payment and the sum of twenty dollars which also shall be deducted to defray expenses incurred in processing the rebate. Any rebate of one hundred dollars or less shall be retained by the state. The amount or amounts of taxes so withheld shall be credited to the respective tax revenue accounts on the records of the State Comptroller.

(P.A. 95-115, S. 3; 95-195, S. 11, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-43. Granting and denial of permits. Notice of hearing. Permits may be granted without hearing by the Department of Consumer Protection in its discretion; but, in any case of the denial of or refusal to renew a permit, the department shall, in such manner as it directs, notify the applicant or permittee of its proposed action and set a day and place for a hearing thereon, giving the applicant or permittee reasonable notice in advance thereof. If, at or after such hearing, the department denies or refuses to renew the permit, as the case may be, notice of such decision shall forthwith be given to such applicant or permittee in such manner as the department directs.

(1949 Rev., S. 4261; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 46, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-44. Mandatory refusal of permit where sale prohibited. The Department of Consumer Protection shall refuse permits for the sale of alcoholic liquor (1) in no-permit towns and (2) where prohibited by the zoning ordinance of any city or town.

(1949 Rev., S. 4262; 1959, P.A. 622, S. 1; 1971, P.A. 599; P.A. 73-44; P.A. 76-347, S. 5; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 47, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-45. Mandatory refusal of permits to certain persons. Exceptions. The Department of Consumer Protection shall refuse permits for the sale of alcoholic liquor to the following persons: (1) Any state marshal, judicial marshal, judge of any court, prosecuting officer or member of any police force, (2) any first selectman holding office and acting as a chief of police in the town within which the permit premises are to be located, (3) a minor, and (4) any constable who performs criminal law enforcement duties and is considered a peace officer by town ordinance pursuant to the provisions of subsection (a) of section 54-1f, any

constable who is certified under the provisions of sections 7-294a to 7-294e, inclusive, who performs criminal law enforcement duties pursuant to the provisions of subsection (c) of section 54-1f, or any special constable appointed pursuant to section 7-92. This section shall not apply to out-of-state shippers', boat and airline permits. As used in this section, "minor" means a minor as defined in section 1-1d or as defined in section 30-1, whichever age is older.

(1949 Rev., S. 4264; 1953, S. 2163d; 1961, P.A. 15, S. 5; February, 1965, P.A. 403, S. 1; 1971, P.A. 270; 1972, P.A. 127, S. 82; P.A. 73-543, S. 8, 14; P.A. 75-266, S. 2, 3; P.A. 77-137; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 87-242; P.A. 93-139, S. 50; P.A. 95-115, S. 2; 95-195, S. 48, 83; P.A. 00-99, S. 79, 154; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-46. Discretionary suspension, revocation or refusal of permit; location or character of premises; other grounds. (a) The Department of Consumer Protection may, except as to a store engaged chiefly in the sale of groceries, in its discretion, suspend, revoke or refuse to grant or renew a permit for the sale of alcoholic liquor if it has reasonable cause to believe: (1) That the proximity of the permit premises will have a detrimental effect upon any church, public or parochial school, convent, charitable institution, whether supported by private or public funds, hospital or veterans' home or any camp, barracks or flying field of the armed forces; (2) that such location is in such proximity to a no-permit town that it is apparent that the applicant is seeking to obtain the patronage of such town; (3) that the number of permit premises in the locality is such that the granting of a permit is detrimental to the public interest, and, in reaching a conclusion in this respect, the department may consider the character of, the population of, the number of like permits and number of all permits existent in, the particular town and the immediate neighborhood concerned, the effect which a new permit may have on such town or neighborhood or on like permits existent in such town or neighborhood; (4) that the place has been conducted as a lewd or disorderly establishment; (5) that the backer does not have a right to occupy the permit premises; (6) that drive-up sales of alcoholic liquor are being made at the permit premises; or (7) that there is any other reason as provided by state or federal law or regulation which warrants such refusal.

(b) (1) The existence of a coliseum permit or a coliseum concession permit shall not be a factor to be taken into consideration under subdivision (3) of subsection (a) of this section. (2) The provisions of subdivisions (1), (2) and (3) of subsection (a) of this section shall not apply to the granting of a coliseum permit or a coliseum concession permit. (3) The provisions of subdivisions (1), (2), (3), (5) and (6) of subsection (a) of this section shall not apply to the granting of any special sporting facility permit provided for in section 30-33b.

(c) Alcoholic liquor may be sold at retail for consumption within a special sporting facility only under the permits provided for in section 30-33b. The number of permits of any class, the location where alcoholic liquor is to be sold under any such permit, the number of locations to be operated under a special sporting facility concession permit, and the areas within such facility where alcoholic liquor may be consumed shall be determined by the Department of Consumer Protection in its discretion.

(1949 Rev., S. 4263; P.A. 73-533, S. 11; P.A. 74-307, S. 3, 8; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 49, 83; P.A. 97-175, S. 5; P.A. 98-236, S. 3; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-46a. Permit for restaurant within a coliseum. The issuance of a coliseum permit or a coliseum concession permit, or both, shall not prohibit the issuance of a restaurant permit permitted under this chapter for a restaurant within a coliseum.

Sec. 30-47. Discretionary suspension, revocation or refusal of permits; disqualification of applicant or permittee. The Department of Consumer Protection may, in its discretion, suspend, revoke or refuse to grant or renew a permit for the sale of alcoholic liquor if it has reasonable cause to believe: (1) That the applicant or permittee appears to be financially irresponsible or neglects to provide for his family, or neglects or is unable to pay his just debts; (2) that the applicant or permittee has been provided with funds by any wholesaler or manufacturer or has any forbidden connection with any other class of permittee as provided in this chapter; (3) that the applicant or permittee is in the habit of using alcoholic beverages to excess; (4) that the applicant or permittee has wilfully made any false statement to the department in a material matter; (5) that the applicant or permittee has been convicted of violating any of the liquor laws of this or any other state or the liquor laws of the United States or has been convicted of a felony as such term is defined in section 53a-25 or has such a criminal record that the department reasonably believes he is not a suitable person to hold a permit, provided no refusal shall be rendered under this subdivision except in accordance with the provisions of sections 46a-80 and 46a-81; (6) that the applicant or permittee has not been delegated full authority and control of the permit premises and of the conduct of all business on such premises; or (7) that the applicant or permittee has violated any provision of this chapter or any regulation adopted under this chapter. Any backer shall be subject to the same disqualifications as provided in this section in the case of an applicant for a permit or a permittee.

(1949 Rev., S. 4265; 1971, P.A. 135; P.A. 75-266, S. 1, 3; 75-641, S. 12; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 82-472, S. 105, 183; P.A. 86-151, S. 2; P.A. 95-195, S. 50, 83; P.A. 97-175, S. 6; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-48. Limitations of permits; exceptions. Loans. Period of credit. Resolution of credit disputes. (a) No backer or permittee of one permit class shall be a backer or permittee of any other permit class except in the case of any class of airport, railroad, airline and boat permits, and except that: (1) A backer of a hotel or restaurant permit may be a backer of both such classes; (2) a holder or backer of a manufacturer permit for a brew pub, a restaurant permit or a cafe permit may be a holder or backer of any other or all of such classes; (3) a holder or backer of a restaurant permit may be a holder or backer of a bowling establishment permit; (4) a backer of a restaurant permit may be a backer of a coliseum permit or a coliseum concession permit, or both, when such restaurant is within a coliseum; (5) a backer of a hotel permit may be a backer of a coliseum permit or a coliseum concession permit, or both; (6) a backer of a coliseum permit may be a backer of a coliseum concession permit; (7) a backer of a coliseum concession permit may be a backer of a coliseum permit; (8) a backer of a grocery store beer permit may be a backer of a package store permit if such was the case on or before May 1, 1996; (9) a backer of a university permit may be a backer of a nonprofit theater permit; (10) subject to the discretion of the department, a backer of a permit provided for in section 30-33b, may be a backer of any other retail on-premise consumption permit, including those permits provided for in section 30-33b; (11) a backer of a nonprofit theater permit may be a holder or backer of a hotel permit; (12) a holder or backer of a restaurant permit may be a holder or backer of a special outing facility permit; (13) a backer of a concession permit may be a backer of a coliseum permit or a coliseum concession permit, or both; (14) a holder of an out-of-state winery shipper's permit for wine may be a holder of an in-state transporter's permit; (15) a holder of an out-of-state shipper's permit for alcoholic liquor other than beer may be a holder of an in-state transporter's permit; and (16) a holder of a manufacturer's permit for a farm winery may be a holder of an in-state transporter's permit. Any person may be a permittee of more than one permit. A person may be a permittee under a

permit provided for in section 30-33b and a backer of any other retail on-premise consumption permit, including those permits provided for in section 30-33b. The operator of a racing or jai alai exhibition with pari-mutuel betting licensed by the Gaming Policy Board may be a backer of any permit provided for in section 30-33b. No holder of a manufacturer permit for a brew pub and no spouse or child of such holder may be a holder or backer of more than three restaurant permits or cafe permits.

(b) No permittee or backer thereof and no employee or agent of such permittee or backer shall borrow money or receive credit in any form for a period in excess of thirty days, directly or indirectly, from any manufacturer permittee, or backer thereof, or from any wholesaler permittee, or backer thereof, of alcoholic liquor or from any member of the family of such manufacturer permittee or backer thereof or from any stockholder in a corporation manufacturing or wholesaling such liquor, and no manufacturer permittee or backer thereof or wholesaler permittee or backer thereof or member of the family of either of such permittees or of any such backer, and no stockholder of a corporation manufacturing or wholesaling such liquor shall lend money or otherwise extend credit, directly or indirectly, to any such permittee or backer thereof or to the employee or agent of any such permittee or backer. A wholesaler permittee or backer, or a manufacturer permittee or backer, that has not received payment in full from a retailer permittee or backer within thirty days after the date such credit was extended to such retailer or backer or to an employee or agent of any such retailer or backer, shall give a written notice of obligation to such retailer within the five days following the expiration of the thirty-day period of credit. The notice of obligation shall state: The amount due; the date credit was extended; the date the thirty-day period ended, and that the retailer is in violation of this section. A retailer who disputes the accuracy of the "notice of obligation" shall, within the ten days following the expiration of the thirty-day period of credit, give a written response to notice of obligation to the department and give a copy to the wholesaler or manufacturer who sent the notice. The response shall state the retailer's basis for dispute and the amount, if any, admitted to be owed for more than thirty days; the copy forwarded to the wholesaler or manufacturer shall be accompanied by the amount admitted to be due, if any, and such payment shall be made and received without prejudice to the rights of either party in any civil action. Upon receipt of the retailer's response, the chairman of the commission or such chairman's designee shall conduct an informal hearing with the parties being given equal opportunity to appear and be heard. If the chairman or such chairman's designee determines that the notice of obligation is accurate, the department shall forthwith issue an order directing the wholesaler or manufacturer to promptly give all manufacturers and wholesalers engaged in the business of selling alcoholic liquor to retailers in this state, a "notice of delinquency". The notice of delinquency shall identify the delinquent retailer, and state the amount due and the date of the expiration of the thirty-day credit period. No wholesaler or manufacturer receiving a notice of delinquency shall extend credit by the sale of alcoholic liquor or otherwise to such delinquent retailer until after the manufacturer or wholesaler has received a "notice of satisfaction" from the sender of the notice of delinquency. If the chairman or such chairman's designee determines that the notice of obligation is inaccurate, the department shall forthwith issue an order prohibiting a notice of delinquency. The party for whom the determination by the chairman or such chairman's designee was adverse, shall promptly pay to the department a part of the cost of the proceedings as determined by the chairman or such chairman's designee, which shall not be less than fifty dollars. The department may suspend or revoke the permit of any permittee who, in bad faith, gives an incorrect notice of obligation, an incorrect response to notice of obligation, or an unauthorized notice of delinquency. If the department does not receive a response to the notice of obligation within such ten-day period, the delinquency shall be deemed to be admitted and the wholesaler or manufacturer who sent the notice of obligation shall, within the three days following the expiration of such ten-day period, give a

notice of delinquency to the department and to all wholesalers and manufacturers engaged in the business of selling alcoholic liquor to retailers in this state. A notice of delinquency identifying a retailer who does not file a response within such ten-day period shall have the same effect as a notice of delinquency given by order of the chairman or such chairman's designee. A wholesaler permittee or manufacturer permittee that has given a notice of delinquency and that receives full payment for the credit extended, shall, within three days after the date of full payment, give a notice of satisfaction to the department and to all wholesalers and manufacturers to whom a notice of delinquency was sent. The prohibition against extension of credit to such retailer shall be void upon such full payment. The department may revoke or suspend any permit for a violation of this section. An appeal from an order of revocation or suspension issued in accordance with this section may be taken in accordance with section 30-60.

(c) If there is a proposed change or change in ownership of a retail permit premises, no application for a permit shall be approved until the applicant files with the department an affidavit executed by the seller of the retail permit premises stating that all obligations of the predecessor permittee for the purchase of alcoholic liquor at such permit premises have been paid or that such applicant did not receive direct or indirect consideration from the predecessor permittee. If a wholesaler permittee alleges the applicant received direct or indirect consideration from the predecessor permittee or that there remain outstanding liquor obligations, such wholesaler permittee may file with the department an affidavit, along with supporting documentation to establish receipt of such consideration or outstanding liquor obligations. The Commissioner of Consumer Protection, in the commissioner's sole discretion, shall determine whether a hearing is warranted on such allegations. The commissioner may waive the requirement of such seller's affidavit upon finding that (1) the predecessor permittee abandoned the premises prior to the filing of the application, and (2) such permittee did not receive any consideration, direct or indirect, for such permittee's abandonment. For the purposes of this subsection, "consideration" means the receipt of legal tender or goods or services for the purchase of alcoholic liquor remaining on the premises of the predecessor permittee, for which bills remain unpaid.

(d) A permittee may file a designation of an authorized agent with the department to issue or receive all notices or documents provided for in this section. The permittee shall be responsible for the issuance or receipt of such notices or documents by the agent.

(e) The period of credit permitted under this section shall be calculated as the time elapsing between the date of receipt of the alcoholic liquors by the purchaser and the date of full legal discharge of the purchaser through the payment of cash or its equivalent from all indebtedness arising from the transaction except that, if the last day for payment falls on a Saturday, Sunday or legal holiday, the last day for payment shall then be the next business day.

(1949, Rev., S. 4266; 1969, P.A. 150, S. 1; 1972, P.A. 143; P.A. 73-533, S. 6; 73-543, S. 9, 14; P.A. 74-307, S. 9; P.A. 75-598, S. 4; 75-641, S. 13; P.A. 77-132, S. 1, 2; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 79-404, S. 41, 45; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 82-32, S. 1, 2; 82-332, S. 5, 13; P.A. 84-494, S. 8, 11; P.A. 85-380, S. 3, 12; P.A. 93-139, S. 51; P.A. 95-161, S. 5; 95-195, S. 51, 83; P.A. 96-7, S. 3, 5; 96-220, S. 5, 7; P.A. 97-66; P.A. 98-164, S. 1; P.A. 03-34, S. 1; P.A. 04-9, S. 2; 04-31, S. 1; P.A. 05-274, S. 5.)

Sec. 30-48a. Limitation on interest in retail permits. (a) No person, and no backer as defined in section 30-1, shall, except as hereinafter provided, acquire an interest in more than two alcoholic beverage retail permits, but nothing herein shall (1) require any such person who had, on June 8, 1981, such interest in more than two such permits to surrender, dispose of or release his interest in any such permit or permits nor shall it affect his right to continue to

hold, use and renew such permits or (2) prohibit any such person who had, on June 8, 1981, such interest in more than two such permits from transferring his interest in such permits by inter vivos or testamentary disposition, including living trusts, to his spouse or child, or such spouse's or child's living trust or prohibit such spouse or child from accepting such a transfer notwithstanding that such spouse or child may already hold another permit issued under the provisions of this chapter. Any such permit so transferred may be renewed by such transferee under the provisions of section 30-14a. Except as provided in subdivision (1), a person shall be deemed to acquire an interest in a retail permit if an interest is owned by such person, such person's spouse, children, partners, or an estate, trust, or corporation controlled by such person or such person's spouse, children, or any combination thereof. The provisions of this subsection shall apply to any such interest without regard to whether such interest is a controlling interest. For the purposes of this subsection, "person" means (A) an individual, (B) a corporation or any subsidiary of a corporation or (C) any combination of corporations or individuals any of whom, or any combination of whom, owns or controls, directly or indirectly, more than five per cent of any entity which is a backer as defined in said section 30-1.

(b) A retail permit for the purposes of subsection (a) of this section means a package store liquor permit or a druggist liquor permit.

(c) Membership in any organization which is or may become the holder of a club permit shall not constitute acquisition of an interest in a retail permit.

(d) Any person who violates any provision of this section or of any regulation issued pursuant hereto shall be fined not less than fifty dollars nor more than two hundred fifty dollars and any permit issued in violation of this section shall be revoked.

(1963, P.A. 555, S. 1-4; P.A. 81-294, S. 8, 22; 81-367, S. 6, 9; P.A. 84-401; P.A. 96-86.)

Sec. 30-48b. Municipalities and authorities as backers of coliseum permittees. Notwithstanding any provision of the general statutes or any special act or any municipal charter to the contrary, a municipality or a civic center authority or a coliseum authority created by a municipality may be the backer of a coliseum permit or coliseum concession permit, or both, provided approval is given therefor by the legislative body of such municipality. Governmental immunity shall not be a defense to any cause of action arising out of operation under such permit.

(P.A. 73-533, S. 8.)

Secs. 30-49 and 30-50. Sale of liquor on credit. Period of credit. Suspension of credit restrictions in case of disaster. Sections 30-49 and 30-50 are repealed.

(1951, S. 2168d; November, 1955, S. N199; February, 1965, P.A. 598; P.A. 75-641, S. 14; P.A. 77-438, S. 6.)

Sec. 30-51. Sales in dwelling houses regulated. (a) No permit may be issued for the sale of alcoholic liquor in any building, a portion of which will not be used as the permit premises, unless the application therefor is accompanied by an affidavit signed and sworn to by the applicant, stating that access from the portion of the building that will not be used as the permit premises to the portion of the building that will be used as the permit premises is effectually closed, unless the Department of Consumer Protection endorses upon such application that it has dispensed with such affidavit for reasons considered by it good and satisfactory and also endorses thereon such reasons. If any way of access from the other portion of such building to the portion used as the permit premises is opened, after such

permit is issued, without the consent of the Department of Consumer Protection endorsed on such permit, such permit shall thereupon become and be forfeited, with or without notice from the Department of Consumer Protection, and shall be null and void. If such applicant or any permittee or any backer thereof opens, causes to be opened, permits to be opened or allows to remain open, at any time during the term for which such permit is issued, any way of access from any portion of a building not part of the permit premises to any other portion of such building that is the permit premises, without the written consent of the Department of Consumer Protection endorsed on such permit, such persons or backers shall be subject to the penalties provided in section 30-113. The Department of Consumer Protection shall require every applicant for a permit to sell alcoholic liquor to state under oath whether any portion of the building in which it is proposed to carry on such business will not be used as the permit premises; and, if so, said Department of Consumer Protection shall appoint a suitable person to examine the premises and to see that any and all access between the portion so to be used for the sale of alcoholic liquor and the portion not so used is effectually closed, and may designate the manner of such closing, and, if necessary, order seals to be placed so that such way of access cannot be opened without breaking the seals, and the breaking or removal of such seals or other methods of preventing access, so ordered and provided, shall be prima facie evidence of a violation of this section. The above provisions shall not apply to any premises operating under a hotel permit, or any premises operating under a restaurant permit, which premises are located in or attached to a motel, and shall not apply to any entrance to a building in which is located premises operating under a tavern permit, which entrance opens into the rear or side yard of such tavern premises and is used solely as an emergency exit or for the delivery of goods to, or carrying or conveying goods from, any permit premises.

(b) "Motel" means every building or other structure kept, used, maintained, advertised or held out to the public to be a place where sleeping accommodations are offered for pay to transient guests, usually, but not limited to, motorists, but is not a place where food is served at all times or where kitchen and dining room facilities necessarily exist.

(1949 Rev., S. 4268; P.A. 77-614, S. 165, 587, 610; P.A. 78-80, S. 2, 3, 4; 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 195, 345, 348; P.A. 93-139, S. 52; P.A. 95-195, S. 52, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-51a. Leasing of part of premises operating under grocery store beer permit. Notwithstanding the provisions of subdivision (6) of section 30-47 and section 30-51, a permittee of premises operating under a grocery store beer permit may lease up to fifty per cent of the total square footage of the premises to any person for lawful purposes. The Department of Consumer Protection shall not issue a permit allowing the sale or consumption of alcoholic liquor on any such leased premises and the sale or consumption of alcoholic liquor, as defined in subdivision (3) of section 30-1, shall be unlawful on any such leased premises.

(P.A. 04-42, S. 1.)

Sec. 30-52. Permit to specify location and revocability. Removal to another location. (a) Every permit for the sale of alcoholic liquor shall specify the town and the particular building or place in such town in which such liquor is to be sold, and shall not authorize any sale in any other place or building. Such permit shall also be made revocable in terms for any violation of any of the provisions of this chapter. Notwithstanding the existence of any local zoning ordinance or general statute prohibiting or affecting the establishment or removal to a new location of an alcoholic liquor use within certain specified distances of other alcoholic liquor uses of the same or different kinds, the Department of Consumer Protection, in cases of hardship and in cases caused by reason of the commencement of an eviction action

against such permittee from the particular building or place in such town specified in such permit, may endorse upon such permit permission to the permittee to remove from one building or place in any zone to another building or place in a proper business or industrial zone, and the permittee shall thereupon be authorized to remove to such new location with such permit. The applicant for such permission shall specify the building or place to which he wishes to remove, and such new location shall comply with all other provisions of the local zoning ordinances or general statutes except as hereinbefore provided; and such permittee shall be allowed to move such permit premises only within a radius of seven hundred fifty feet of the old permit premises. The removal of the permit premises from the particular building or place specified in the permit without the approval of the department shall be grounds for the suspension or revocation of the permit. In such cases an appeal from an order refusing permission to remove may be taken in accordance with the provisions of section 30-60. If the site of any permit premises is taken or threatened to be taken in the exercise of the power of eminent domain, the department may authorize the relocation of such permit premises to a new location, any local ordinance or general statute notwithstanding, provided such new location is zoned for business use and is within a radius of seven hundred fifty feet from the point, on the boundary of the overall site of the proposed taking, nearest to the site of such permit premises.

(b) Nothing in subsection (a) of this section or section 30-14a, shall be construed as prohibiting the department from permitting the removal of such permit premises to any location, including a location in another town, for any reason, provided: (1) Removal to the proposed location complies with local zoning laws as required by section 30-44, (2) the proposed location is not found to be unsuitable or prohibited by any other provision of this chapter, except that a removal to a location in another town may be authorized only if such removal complies with the provisions of section 30-14a provided, in any case in which the department finds that the permittee has provided evidence satisfactory to the department that the permittee is unable to secure a renewal or extension of his lease and that the premises are to be demolished by their owner, and that the permittee is unable to find, after reasonable efforts, a suitable location for removal of the permit premises within the town in which the permit premises are located, have created a hardship, the department may waive the maximum permit limit provided by said section 30-14a and allow the removal of the permit premises to an adjacent town.

(c) Any action taken by the department authorizing the removal of such permit premises prior to June 27, 1985, is hereby validated.

(1949 Rev., S. 4269; 1955, S. 2164d; 1961, P.A. 468; February, 1965, P.A. 177; P.A. 75-641, S. 15; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 85-361, S. 2, 3; P.A. 88-78, S. 1, 2; P.A. 93-139, S. 53; P.A. 95-195, S. 53, 83; June 30 Sp. Sess. P.A. 03-6, S 146(d); P.A. 04-169, S. 17; 04-189, S. 1)

Sec. 30-53. Permit to be recorded. Each permit granted or renewed by the Department of Consumer Protection shall be of no effect until a duplicate thereof has been filed by the permittee with the town clerk of the town within which the club or place of business described in such permit is situated; provided the place of filing of railroad and boat permits shall be the office of the town clerk of the town of New Haven, and airline permits, the office of the town clerk of the town of Hartford. The fee for such filing shall be two dollars.

(1949 Rev., S. 4270; 1955, S. 2165d; 1967, P.A. 140; P.A. 73-543, S. 10, 14; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 54, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-54. Permit to be hung in plain view. Every permittee, other than a corporation holding a railroad or airline permit, shall cause his permit or a duplicate thereof to be framed and hung in plain view in a conspicuous place in any room where the sales so permitted are to be carried on.

(1949 Rev., S. 4271; P.A. 73-543, S. 11, 14.)

Sec. 30-55. Revocation or suspension of permits; hearing; appeal to stay proceedings. (a) The Department of Consumer Protection may, in its discretion, revoke or suspend any permit or provisional permit upon cause found after hearing, provided ten days' written notice of such hearing has been given to the permittee setting forth, with the particulars required in civil pleadings, the charges upon which such proposed revocation or suspension is predicated. Any appeal from such order of revocation or suspension shall be taken in accordance with the provisions of section 4-183.

(b) The surrender of a permit or provisional permit for cancellation or the expiration of a permit shall not prevent the department from suspending or revoking any such permit pursuant to the provisions of this section.

(1949 Rev., S. 4272; February, 1965, P.A. 259; 1967, P.A. 316; 1969, P.A. 128; P.A. 77-438, S. 5; 77-603, S. 18, 125; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 54; P.A. 95-195, S. 55, 83; P.A. 97-175, S. 7; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 06-94, S.3.)

Sec. 30-55a. Suspension of permit for failure to pay unemployment compensation contributions; violation of noise standards by liquor permittees; penalties. (a) The Department of Consumer Protection shall, upon notice from the administrator of the Unemployment Compensation Act of the name and address of any employer subject to chapter 567 who has failed to file any return or to pay the contributions prescribed under the provisions of said chapter, suspend the permit of such employer until written notice from the administrator has been received that the returns have been filed and the contributions, including interest, have been paid.

(b) When any permit premises where alcoholic liquor is consumed on the premises emits noise which, when measured at a radius of two hundred feet from the premises, as described in the permittee's application for a liquor permit, exceeds the ambient noise standard for the land use classification for the location at which such measurement is made, as established by the Department of Environmental Protection pursuant to section 22a-69, the Department of Consumer Protection may suspend the permit to sell alcoholic liquor for three days for a first violation, five days for a second violation and fourteen days for any subsequent violation.

(1967, P.A. 328; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 91-116; P.A. 95-195, S. 56, 83; June 30 Sp. Sess. P.A. 03-6, S. 146

Sec. 30-56. When appeal not to act as stay of execution. (a) When any permit is revoked or suspended after a final conviction or upon forfeiture of bond under the provisions of section 30-57, an appeal therefrom shall not act as a stay of execution upon such revocation or suspension.

(b) When any permit is revoked or suspended for violation of the provisions of section 30-38a, an appeal therefrom, may, at the discretion of the court, act as a stay of execution upon such revocation or suspension.

(1949 Rev., S. 4273; P.A. 75-239, S. 2, 3.)

Sec. 30-57. Conviction of permittee or backer; revocation or suspension of permit; forfeiture. When any permittee or backer has been convicted of a violation of any of the provisions of this chapter or of any of the laws of the United States or of the laws of any other state pertaining to the manufacture, sale, transportation or taxation of distilled spirits, beer and wine, or of any felony, as defined in section 53a-25, or has forfeited such permittee's or backer's bond to appear in court to answer for any such violation, the Department of Consumer Protection may, in its discretion, revoke or suspend the permit and order the forfeiture of all moneys that have been paid for the permit, and such revocation or suspension and forfeiture shall be in addition to the penalties for such offense. In all cases in which a conviction is had, the clerk of the court shall forthwith mail a copy of the judgment to the department.

(1949 Rev., S. 4275; 1961, P.A. 517, S. 82; P.A. 73-616, S. 25; P.A. 75-186, S. 2, 3; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 610; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 9, 22; P.A. 95-195, S. 57, 83; P.A. 99-194, S. 25; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-58. Revocation of permit obtained by fraud. Whenever any permit under this chapter has been obtained by fraud or misrepresentation, the Department of Consumer Protection, upon proof that such permit was so obtained, shall, upon hearing had, revoke the same, and all moneys paid therefor shall be forfeited.

(1949 Rev., S. 4276; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 58, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-58a. Offer in compromise in lieu of suspension. The Department of Consumer Protection, in its discretion and subject to such regulations as it may adopt, may accept from any permittee or backer an offer in compromise in such an amount as may in the discretion of the department be proper under the circumstances in lieu of the suspension of any permit previously imposed by the department. Any sums of money so collected by the department shall be paid forthwith into the State Treasury for the general purposes of the state.

(1972, P.A. 227; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 59, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-58b. Continuation of service when special sporting facility permit revoked. Application for new permit. If the licensed operator terminates the lease of any permittee or backer holding a special sporting facility permit provided for in section 30-33b because such permit is suspended or revoked by the Department of Consumer Protection, said department shall accept and act upon an application for a new permit of the same class as the suspended or revoked permit, notwithstanding that the term of the original suspension has not expired. Said department may issue immediate temporary orders permitting the continued operation of such permit at such location under such terms as appear reasonable to said department to avoid inconvenience to patrons of such special sporting facility.

(P.A. 74-307, S. 10; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 55; P.A. 95-195, S. 60, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-59. Certificate of revocation, suspension or reinstatement. The Department of Consumer Protection shall transmit a certificate of the revocation, suspension or reinstatement of any permit by it to the town clerk of the town within which the permittee is

operating or has been operating, which clerk shall attach such certificate to the duplicate copy of such permit on file in his office.

(1949 Rev., S. 4274; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 61, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-59a. Notice of suspension or revocation of sporting facility permits or licenses issued by the Division of Special Revenue or the Gaming Policy Board. The Department of Consumer Protection may, upon notice from the Division of Special Revenue of the name and address of any person who has had a license suspended or revoked by the Gaming Policy Board or the executive director of the Division of Special Revenue, suspend the permit of such person until such license has been restored to such person. The Department of Consumer Protection shall notify the Division of Special Revenue of the name and address of any permittee or backer whose permit has been suspended or revoked.

(P.A. 74-307, S. 11; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 79-404, S. 42, 45; P.A. 80-482, S. 4, 170, 191, 342, 343, 345, 348; P.A. 95-195, S. 62, 83; P.A. 02-82, S. 5; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-60. Appeal. Any applicant for a permit or for the renewal of a permit for the manufacture or sale of alcoholic liquor whose application is refused or any permittee whose permit is revoked or suspended by the Department of Consumer Protection or any ten residents who have filed a remonstrance pursuant to the provisions of section 30-39 and who are aggrieved by the granting of a permit by the department may appeal therefrom in accordance with section 4-183. Appeals shall be privileged in respect to the assignment thereof. If said court decides, upon the trial of such appeal, that the appellant is a suitable person to sell alcoholic liquor and that the place named in his application is a suitable place, within the class of permit applied for or revoked, and renders judgment accordingly, a copy of such judgment shall be forthwith transmitted by the clerk of said court to the department, and the department shall thereupon issue a permit to such appellant to sell such alcoholic liquor at such place for the remainder of the permit year, and the fee to be paid therefor, unless the application is for the renewal of the permit, in which case the full fee shall be paid, shall bear the same proportion to the full permit fee for a year as the unexpired portion of the year from the time when such permit was granted bears to the full year. If the court decides on such trial that the applicant is not a suitable person to sell alcoholic liquor or that the place named in the application is not a suitable place, and renders judgment accordingly, a copy of such judgment shall be forthwith transmitted by the clerk of said court to the department and the department shall not issue a permit to such applicant or shall rescind the granting of a permit, as the case may be. If said court upholds the decision of the department upon the trial of such appeal, or modifies such decision in whole or in part and renders judgment accordingly, a copy of such judgment shall be forthwith transmitted by the clerk of said court to the department and, if a renewal fee has been paid within the time during which such appeal has been pending, the department shall thereupon certify to the Treasurer a deduction from such fee of a sum which shall bear the same proportion to the full permit fee for a year as the portion of the year from the time when such renewal would have become effective to the time when such judgment was rendered bears to the full year, and the amount of such deduction shall be paid in accordance with the provisions of section 30-5, and the remainder of such fee shall be paid by the state to the applicant.

(1949 Rev., S. 4277; 1969, P.A. 776; 1971, P.A. 179, S. 21; P.A. 73-616, S. 26; P.A. 76-436, S. 615, 681; P.A. 77-603, S. 113, 125; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 63, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-61. Service of process on members of commission. Service of process in any action in which the commission is a party shall be made upon any member of the commission or the secretary of the commission.

(1949 Rev., S. 4278; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136.)

Sec. 30-62. Substitution of permittees. Fee. In any case a new permittee may be substituted when so requested, provided the person so substituted shall be a suitable person as defined and set forth in this chapter, and such person shall be permitted to serve in the place and stead of the original permittee for the remainder or any part thereof of the term of the permit upon which he has been substituted and such a substitution may be made upon the death of a permittee, when so requested. A substitute permittee under this section shall not be subject to the provisions of section 30-39. In the case of an application to permanently substitute the identity of the permittee, the applicant shall pay to the Department of Consumer Protection a nonrefundable application fee of thirty dollars.

(1949 Rev., S. 4280; 1951, S. 2167d; P.A. 77-114, S. 2; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 64, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-62a. Consumer bars. The Department of Consumer Protection, subject to such regulations as said department shall adopt, may permit more than one consumer bar in any premises for which a permit has been issued under this part for the retail sale of alcoholic liquor to be consumed on the premises. A consumer bar is a counter, with or without seats, at which a patron may purchase and consume or purchase alcoholic liquor. The fee for each additional consumer bar shall be one hundred fifty dollars per annum.

(P.A. 78-292, S. 1-3; P.A. 80-482, S. 4, 170, 191, 196, 345, 348; P.A. 93-139, S. 56; P.A. 95-195, S. 65, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-62b. Home manufacture of wine. Any person, other than a minor, may, without payment of tax, produce wine for personal or family use only. Such wine may be transported in sealed containers for use at organized affairs, including exhibitions, tastings, contests or competitions, but shall not be sold or offered for sale.

(P.A. 99-65.)

PART V PRICES

Sec. 30-63. Registration of brands, fees. Posting and notice of prices. Brand registration of fortified wine. When departmental approval prohibited. (a) No holder of any manufacturer, wholesaler or out-of-state shipper's permit shall ship, transport or deliver within this state, or sell or offer for sale, any alcoholic liquors unless the name of the brand, trade name or other distinctive characteristic by which such alcoholic liquors are bought and sold, the name and address of the manufacturer thereof and the name and address of each wholesaler permittee who is authorized by the manufacturer or his authorized representative to sell such alcoholic liquors are registered with the Department of Consumer Protection and until such brand, trade name or other distinctive characteristic has been approved by the department. Such registration shall be valid for a period of three years. The fee for such registration, or renewal thereof, shall be one hundred dollars for out-of-state shippers and three dollars for Connecticut manufacturers for each brand so registered, payable by the manufacturer or such manufacturer's authorized representative when such liquors are manufactured in the United States and by the importer or such importer's authorized

representative when such liquors are imported into the United States. The department shall not approve the brand registration of any fortified wine, as defined in section 12-433, which is labeled, packaged or canned so as to appear to be a wine or liquor cooler, as defined in section 12-433.

(b) No manufacturer, wholesaler or out-of-state shipper permittee shall discriminate in any manner in price discounts between one permittee and another on sales or purchases of alcoholic liquors bearing the same brand or trade name and of like age, size and quality, nor shall such manufacturer, wholesaler or out-of-state shipper permittee allow in any form any discount, rebate, free goods, allowance or other inducement for the purpose of making sales or purchases.

(c) For alcoholic liquor other than beer, each manufacturer, wholesaler and out-of-state shipper permittee shall post with the department, on a monthly basis, the bottle, can and case price of any brand of goods offered for sale in Connecticut, which price when so posted shall be the controlling price for such manufacturer, wholesaler or out-of-state permittee for the month following such posting. On or after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-state shipper permittee shall post with the department, on a monthly basis, the bottle, can and case price, and the price per keg or barrel or fractional unit thereof for any brand of goods offered for sale in Connecticut which price when so posted shall be the controlling price for such brand of goods offered for sale in this state for the month following such posting. Such manufacturer, wholesaler and out-of-state shipper permittee may also post additional prices for such bottle, can, case, keg or barrel or fractional unit thereof for a specified portion of the following month which prices when so posted shall be the controlling prices for such bottle, can, case, keg or barrel or fractional unit thereof for such specified portion of the following month. Notice of all manufacturer, wholesaler and out-of-state shipper permittee prices shall be given to permittee purchasers by direct mail, Internet web site or advertising in a trade publication having circulation among the retail permittees except a wholesaler permittee may give such notice by hand delivery. Price postings with the department setting forth wholesale prices to retailers shall be available for inspection during regular business hours at the offices of the department by manufacturers and wholesalers until three o'clock p. m. of the first business day after the last day for posting prices. A manufacturer or wholesaler may amend such manufacturer's or wholesaler's posted price for any month to meet a lower price posted by another manufacturer or wholesaler with respect to alcoholic liquor bearing the same brand or trade name and of like age, vintage, quality and unit container size; provided that any such amended price posting shall be filed before three o'clock p. m. of the fourth business day after the last day for posting prices; and provided further such amended posting shall not set forth prices lower than those being met. Any manufacturer or wholesaler posting an amended price shall, at the time of posting, identify in writing the specific posting being met. On and after July 1, 2005, all wholesaler postings for the following month shall be provided to retail permittees not later than the twenty-seventh day of the month prior to such posting.

(1949 Rev., S. 4306; 1953, S. 2171d; P.A. 73-535; P.A. 74-19, S. 1, 2; P.A. 77-438, S. 4; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 10, 22; P.A. 82-238, S. 1, 2; 82-330, S. 1, 4; P.A. 84-332, S. 1; P.A. 91-122; May 25 Sp. Sess. P.A. 94-1, S. 59, 130; P.A. 95-195, S. 66, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 05-240, S. 1.; P.A. 06-26, S. 1; P.A. 06-30, S. 1.)

Secs. 30-63a to 30-63d. Prices charged by manufacturers and out-of-state shippers to Connecticut wholesalers. Affirmation re price. Determination of price. Enforcement; regulations. Sections 30-63a to 30-63d, inclusive, are repealed.

(P.A. 73-387, S. 1-5; P.A. 75-259, S. 5, 8; 75-641, S. 16; P.A. 77-614, S. 165, 587, 610; P.A. 75-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 11-14, 22; P.A. 82-330, S. 2-4; P.A. 84-332, S. 2-4; 84-432, S. 1, 3; P.A. 85-613, S. 70, 154; P.A. 91-67, S. 1, 2; P.A. 93-139, S. 73.)

Sec. 30-63e. Conditions required for closeout sale. A brand to be closed out shall have been sold or offered for sale in the state for a period of at least one year before any application for a closeout sale is made to the department and it shall have first been offered to the producer, wholesaler or supplier from whom purchased and such vendor shall have refused to purchase the goods. No delivery or sale of such closed out brand shall be made in the state for two years after the effective date of any authorized changed price, except that the delivery or sale of any brand of beer may be made, within such two-year period, in that portion of the state that is not within the wholesaler permittee's franchise territory wherein the closeout sale was authorized.

(P.A. 93-139, S. 71.)

Sec. 30-63f. Brand or size to be closed out. A brand or size to be closed out shall have been in a wholesaler's inventory for a period of at least one year before any application for a closeout sale is made to the department, and shall have first been offered at the closeout price to a Connecticut wholesaler authorized to sell the brand or size. Before an application is made, the wholesaler to whom the offer is made shall have notified the vendor of the brand or size, in writing, of his intention to purchase or refuse to purchase such brand or size. After the offer, items approved by the department for closeout below cost shall then be delivered to the purchasing wholesaler or shall be advertised in a trade publication having circulation among retail permittees, as appropriate. No purchase of a closed out brand or size shall be made by the wholesaler for two years after the effective date of any authorized sale below cost.

(P.A. 93-139, S. 72.)

Sec. 30-64. Fair trade; schedule of suggested prices to be filed with Department of Consumer Protection. (a)(1) No out-of-state shipper, manufacturer or wholesaler permittee shall sell, offer for sale, solicit any order for or advertise any alcoholic liquor, the container of which bears a label stating brand or the name of the owner or producer, unless a schedule of suggested consumer resale prices for each brand of alcoholic liquor has been filed with the Department of Consumer Protection and such schedule is then in effect, except written permission for such sale, offer, solicitation or advertising may be granted by the department for good cause shown and for reasons not inconsistent with the purposes of this section and subdivisions (1), (2), (3) and (4) of subsection (b) of section 30-6a and under such terms and conditions as the department deems necessary.

(2) Such schedule shall be filed by (A) the out-of-state shipper, manufacturer or wholesaler who owns such brand, if licensed by the department, or (B) a wholesaler, selling such brand, who is appointed as exclusive agent in writing by the brand owner for the purpose of filing such schedule, if the brand owner is not licensed by the department, or (C) any wholesaler, with the approval of the department, if the owner of such brand does not file or is unable to file a schedule or designate an agent for such purpose.

(3) Such schedule shall be in writing, duly verified, and filed in the number of copies and in the form required by the department and shall contain, with respect to each brand, the brand or trade name, capacity of container, nature of contents, age and proof where stated on the label, percentage and type of spirits where stated on the label, the suggested consumer resale price of a bottle, a can, a case, a keg and a barrel or fraction thereof, but not a multiple of a

bottle or can price or a case price or a fraction of a case price. Such prices shall be uniform throughout the state.

(4) Schedules of suggested prices shall be filed at the times and remain in effect for the periods fixed by the department, such periods not to exceed four months each. Within ten days after the filing of such schedules, the department shall make them or a composite thereof available for inspection by permittees. All schedules so filed shall be subject to public inspection, from the time that they are required to be made available for inspection to permittees. Each out-of-state shipper, manufacturer or wholesaler permittee shall retain in such permittee's permit premises a copy of such permittee's filed schedules. Notice of all out-of-state shipper, manufacturer or wholesaler permittee prices, together with suggested consumer resale prices, shall be given by the out-of-state shipper, manufacturer or wholesaler permittee to permittee purchasers, either by direct mail or advertising in a trade publication having a circulation among the retail permittees.

(b) Any permittee authorized to sell alcoholic liquor at retail for off-premises consumption may sell, or offer to sell, solicit an order for or advertise any alcoholic liquor at a price less than a suggested consumer resale price then in effect.

(1951, S. 2177d; 1959, P.A. 597; P.A. 75-641, S. 17; P.A. 77-438, S. 1; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 15, 22; P.A. 93-139, S. 57; P.A. 95-195, S. 67, 83; P.A. 03-19, S. 69; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-64a. Sales within a wholesaler's geographic territory. Notwithstanding any provision of the general statutes or any regulations issued pursuant thereto to the contrary, a wholesaler, who sells any product or is authorized to sell any product by this chapter, shall sell such product to each retail permittee in the wholesaler's geographic territory who desires to purchase such product. Such wholesaler shall not charge any retail permittee, to whom the wholesaler is required to sell by virtue of this section, a different rate for the delivery or transportation of any alcoholic liquor than such wholesaler would charge any other retail permittee. Where distance, road conditions, travel time or any such factor substantially affects the cost of delivery or transportation of a product sold by a wholesaler, the wholesaler shall file a schedule of proposed delivery charges with the Department of Consumer Protection. Such schedule shall only apply after a hearing by and upon written approval from said department.

(P.A. 78-93, S. 1, 2; P.A. 80-482, S. 4, 170, 191, 197, 345, 348; P.A. 95-195, S. 68, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-64b. Unfair pricing practices. The sale of any alcoholic liquor by a wholesale or retail permittee for off premises consumption at a price the intent of which is to destroy or prevent competition with any other permittee holding a like permit shall be deemed an unfair pricing practice. The Department of Consumer Protection may suspend or revoke any permit upon a finding of an unfair pricing practice. In arriving at such finding, the Department of Consumer Protection shall consider, but not be limited to, the consideration of the following factors: Labor, including salaries of executives and officers, rent, interest on borrowed capital, depreciation, selling cost, maintenance of equipment, delivery costs, credit losses, insurance and warehouse costs.

(P.A. 78-344, S. 1, 2, 4; P.A. 80-482, S. 4, 170, 191, 198, 345, 348; P.A. 93-139, S. 58; P.A. 95-195, S. 69, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-65. Regulations. Section 30-65 is repealed.

(1951, S. 2178d; P.A. 75-240, S. 1, 3; 75-641, S. 18; P.A. 77-438, S. 2; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 73.)

Sec. 30-66. Administration expenses. For the purpose of raising the moneys necessary to defray the expenses incurred in the administration of section 30-64 and subdivisions (1), (2), (3) and (4) of subsection (b) of section 30-6a, there shall be paid to the Department of Consumer Protection by each permittee, for the sale of alcoholic liquor at retail for off-the-premises consumption, a sum equal to six and one-quarter per cent of the prevailing regular permit fees for such permittees. All such sums shall be paid by the department into the State Treasury to the credit of the General Fund.

(1951, P.A. 2180d; 1959, P.A. 222, S. 1; 1961, P.A. 567, S. 2; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 59; P.A. 95-195, S. 70, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-67. Penalties. In addition to the penalties otherwise provided under this chapter, the Department of Consumer Protection may, for any violation of any provision of section 30-64 or of any regulation adopted under subdivisions (1), (2), (3) and (4) of subsection (b) of section 30-6a, suspend, cancel or revoke any permit as follows: For a first offense, not exceeding ten days' suspension of permit; for a second offense, not exceeding thirty days' suspension of permit; and for a third offense, the department may suspend, cancel or revoke the permit.

(1951, S. 2179d; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 93-139, S. 60; P.A. 95-195, S. 71, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-68. Wholesale prices of wine. The provisions of this section shall apply to sales made on and after January 1, 1983. The wholesale prices of wine, bottled in this state, imported or domestic, whether sold under a brand name or private label, shall be filed with the Department of Consumer Protection as set forth in section 30-63, but such wine shall not be sold by a wholesaler to a retailer for less than minimum base cost. Minimum base cost shall be computed by adding the current selling price of wine in bulk in California, as set forth in the federal state market service news published by the United States Department of Agriculture, the charges necessary for transportation and delivery of wine in bulk into Connecticut, all federal and state taxes and the general prevailing cost of labels, containers, crowns, caps and seals. The wholesale prices of wine not bottled in this state, imported or domestic, whether sold under a brand name or private label, shall be filed with the department as set forth in section 30-63 but such wine shall not be sold by a wholesaler to a retailer at a price which is below the wholesaler's cost. "Cost" shall mean (1) the invoice price from the supplier to the wholesaler, (2) all transportation charges from point of origin to point of destination and (3) all applicable federal and state taxes and duties.

(1957, P.A. 299; P.A. 73-210; P.A. 75-641, S. 19; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 20, 22; P.A. 93-139, S. 61; P.A. 95-195, S. 72, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Secs. 30-68a to 30-68h. Minimum retail markups; definitions. Minimum selling price. Suggested consumer resale price. Enforcement; regulations. Minimum wholesale markups; definitions. Minimum selling price. Minimum wholesale price. Enforcement; regulations. Sections 30-68a to 30-68h, inclusive, are repealed.

(1963, P.A. 267, S. 1-4; 268, S. 1-4; 1969, P.A. 135, S. 2, 3; P.A. 75-240, S. 2, 3; 75-641, S. 20, 21; P.A. 77-438, S. 3; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 79-254; 79-604, S. 4, 5; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-294, S. 16, 21, 22; P.A. 85-220, S. 1, 2; P.A. 93-139, S. 73.)

Sec. 30-68i. Minimum selling price of out-of-state shipper, wholesaler or manufacturer permittee. The minimum selling price of an out-of-state shipper, wholesaler or manufacturer permittee to a wholesaler, such wholesaler to be defined as any person engaged in the sale of alcoholic liquor to retailers of every brand of alcoholic liquor, whether or not bottled in this state, shall be not below the cost of such liquor to such out-of-state shipper, wholesaler or manufacturer permittee, computed as follows: (1) On domestic alcoholic liquor, the total of (A) the cost of spirits and all other ingredients, (B) all transportation charges from point of origin to point of destination, (C) all applicable federal and state taxes, and (D) the cost of containers, labels, caps, closures, all bottling charges and labor; (2) on imported alcoholic liquor, the total of (A) the invoice price from the supplier, (B) the cost of all other ingredients, (C) the cost of duties, (D) all applicable federal and state taxes, (E) insurance, (F) ocean freight and brokerage charges, (G) all transportation charges, and (H) the cost of containers, labels, caps, closures and all bottling charges and labor.

(1967, P.A. 451, S. 1; P.A. 81-294, S. 17, 22.)

Sec. 30-68j. Minimum markup in sale of beer. Section 30-68j is repealed.

(P.A. 73-123, S. 1, 2; P.A. 75-641, S. 22; P.A. 80-483, S. 90, 186; P.A. 81-294, S. 21, 22.)

Sec. 30-68k. Price discrimination prohibited. No holder of any wholesaler's permit shall ship, transport or deliver within this state or any territory therein or sell or offer for sale, to a purchaser holding a permit for the sale of alcoholic liquor for on or off premises consumption, any brand of alcoholic liquor, including cordials, as defined in section 30-1, at a bottle, can or case price higher than the lowest price at which such item is then being sold or offered for sale or shipped, transported or delivered by such wholesaler to any other such purchaser to which the wholesaler sells, offers for sale, ships, transports or delivers that brand of alcoholic liquor within this state.

(P.A. 81-294, S. 1, 22.)

Sec. 30-68l. Wholesale permittees; sales below cost prohibited. No wholesaler permittee shall sell to any purchaser holding a permit for the sale of alcoholic liquor for on or off premises consumption at a price which is below such wholesaler permittee's cost. For the purposes of this section, "cost" means: (1) On domestic alcoholic liquor bottled in the state, the total of (A) the cost of all ingredients, (B) all transportation charges from the point of origin to the point of destination, (C) all applicable federal and state taxes, and (D) the cost of containers, labels, caps, closures and all bottling charges and labor; (2) on imported alcoholic liquor bottled in the state, the total of (A) the invoice price from the supplier, (B) all other ingredients, (C) the cost of duties, (D) all applicable federal and state taxes, (E) insurance, (F) ocean freight and brokerage charges, (G) all transportation charges, and (H) the cost of containers, labels, caps, closures and all bottling charges and labor; (3) on domestic alcoholic liquors not bottled in this state, the total of (A) the posted price from the supplier to the wholesaler, (B) the cost of shipping or delivery charges to the wholesaler's place of business which were paid by the wholesaler in addition to the posted price, and (C) all applicable federal and state taxes paid by the wholesaler in addition to the posted price; (4) on imported alcoholic liquor not bottled in the state, the total of (A) the posted price from the supplier, (B) the cost of duties, insurance, ocean freight and brokerage charges and transportation charges

paid by the wholesaler in addition to the posted price, and (C) all applicable federal and state taxes paid by the wholesaler in addition to the posted price. The provisions of this section shall not apply to sales of wine.

(P.A. 81-294, S. 2, 22; P.A. 03-19, S. 70.)

Sec. 30-68m. Retail permittees; sales below cost prohibited. (a) No retail permittee shall sell at a price below his cost. For the purposes of this section, cost for the retail permittee for alcoholic liquor other than beer shall mean the posted bottle price from the wholesaler plus any charge for shipping or delivery to the retailer's place of business paid by the retailer in addition to the posted price, except on items of wine sold prior to January 1, 1983, cost shall mean the posted bottle price from the wholesaler plus a minimum of thirty-three and one-third per cent of such permittee's selling price. For beer, cost for the retail permittee shall mean the lowest posted price during the month in which the retail permittee is selling plus any charge for shipping or delivery to the retailer's place of business paid by the retail permittee in addition to the price originally paid by the retail permittee. As used in this section, the term retail permittee means the holder of a permit allowing the sale of alcoholic liquor for off-premises consumption.

(b) "Bottle price" means the price per unit of the contents of any case of alcoholic liquor, other than beer, and shall be arrived at by dividing the case price by the number of units or bottles making up such case price and adding to the quotient an amount that is not less than the following: A unit or bottle one-half pint or two hundred milliliters or less, two cents; a unit or bottle more than one-half pint or two hundred milliliters but not more than one pint or five hundred milliliters, four cents; and a unit or bottle greater than one pint or five hundred milliliters, eight cents.

(P.A. 81-294, S. 3, 22; P.A. 82-332, S. 6, 13; P.A. 93-139, S. 62; P.A. 05-240, S. 2.)

Sec. 30-68n. Advertisement of manufacturers' rebates. (a) For the purposes of this section: (1) "Advertise" means the making of any statement or representation in connection with the solicitation of business in any manner by a retail permittee and includes, but is not limited to, statements and representations published in any newspaper or other publication or statements or representations printed in any catalog, circular or other sales literature or brochure; (2) "manufacturer's rebate" means that amount due and payable in accordance with an offer by a permittee other than a retail permittee to refund to a consumer all or a portion of the purchase price of an alcoholic liquor product; and (3) "net price" means the ultimate price paid by a consumer for an alcoholic liquor product after the consumer has redeemed the manufacturer's rebate offered for the alcoholic liquor product.

(b) A retail permittee may advertise the existence of a manufacturer's rebate or the net price of an alcoholic liquor product provided such permittee makes all of the following disclosures in such advertisement in type that is the same color, style and size: (1) The sales price of the alcoholic liquor product before the manufacturer's rebate; (2) the amount and expiration date of the manufacturer's rebate; and (3) the net price of the alcoholic liquor product.

(P.A. 02-22, S. 1.)

PART VI SEIZURES

Secs. 30-69 to 30-73. Seizures. Sections 30-69 to 30-73, inclusive, are repealed.

(1949 Rev., S. 4281-4285; 1959, P.A. 28, S. 64, 65; 1961, P.A. 517, S. 33; 1963, P.A. 642, S. 33; 652, S. 10.)

PART VII PROHIBITED ACTS, PENALTIES AND PROCEDURE

Sec. 30-74. Unauthorized sale prohibited. (a) The sale of alcoholic liquor, except as permitted by this chapter, is prohibited, and any person or permittee who keeps or operates any bar or establishment which is a place where alcoholic liquor is kept for sale or exchange contrary to law shall be liable to the penalties provided in section 30-113.

(b) The sale, distribution or dispensing of alcoholic liquor without a permit issued under the provisions of this chapter in any premises, building, apartment or other place used by any club, association, social or fraternal society or organization to the members thereof, their guests or other persons shall be unlawful. Any officer, agent or employee of any club, association, social or fraternal society or organization without such a permit, who dispenses or permits to be dispensed, to or by its members, guests or other persons, any alcoholic liquor shall be subject to the penalties provided in section 30-113.

(c) No permittee or backer who is authorized under this chapter to sell alcoholic liquor at retail for consumption off the permit premises, and no agent or employee of such permittee or backer, may sell or deliver such alcoholic liquor from a drive-up window or similar exterior wall opening.

(1949 Rev., S. 4306; 1953, S. 2171d; P.A. 93-139, S. 63; P.A. 98-236, S. 4.)

Sec. 30-75. Prima facie evidence of intent to sell. Whenever any alcoholic liquor is found in the possession or under the control of any person who has received from the United States a license for the manufacture or sale of such liquor, or has paid to the United States a tax for such manufacture or sale covering the time when such liquors are so found, the existence of such United States license or the payment of such tax shall be prima facie evidence that such liquors are kept by such person with intent to sell the same. The presence in or upon the premises covered by any permit of alcoholic liquor of a kind or character which may not legally be sold under such a permit shall be prima facie evidence that such liquor is kept by the permittee with intent to sell the same in the place for which such permit was issued.

(1949 Rev., S. 4311.)

Sec. 30-76. Purchase for resale. No person holding a permit for the retail sale of alcoholic liquor shall purchase for resale alcoholic liquor except from a person holding a permit under the provisions of sections 30-16 and 30-17, provided any permittee going out of business may, upon application to and approval by the Department of Consumer Protection, sell all or part of his stock in trade to any permittee authorized by law to retail the kind of liquors so sold. No person holding a manufacturer or wholesaler permit shall purchase for resale alcoholic liquor except from a person holding a manufacturer permit, wholesaler permit or out-of-state shipper's permit. Any person convicted of a violation of this section shall be subject to the penalties provided in section 30-113.

(1949 Rev., S. 4312; February, 1965, P.A. 553, S. 10; P.A. 77-45; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 73, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-76a. Sales to persons holding temporary or charitable organization permits. A wholesaler permittee shall not sell alcoholic liquor to any persons holding a temporary permit for outings, picnics or special gatherings, or a charitable organization permit, including a nonprofit public television corporation permit but not including a nonprofit golf tournament permit. Holders of said permits shall purchase alcoholic liquor only from permittees holding package store permits. The provisions of this section shall not apply to the sale of beer in kegs.

(P.A. 81-294, S. 4, 22; P.A. 83-152, S. 6; P.A. 85-380, S. 9, 12; P.A. 89-155, S. 3, 4.)

Sec. 30-77. Disposing of liquor without permit. (a) Any person who, without a permit therefor, except as provided in section 30-37 or subsection (b) of section 12-436, the provisions of which shall not be construed as requiring an individual to be physically present at the point of purchase of alcoholic beverages to import such alcoholic beverages, or contrary to the provisions of this chapter and the regulations of the Department of Consumer Protection with respect to the class of permit held by such person, manufactures or, by sample, by soliciting or procuring orders, or otherwise, sells or delivers, or offers or exposes for sale or delivery, or owns or keeps with intent to sell or deliver, or who ships, transports or imports into this state, any alcoholic liquor, shall be subject to the penalties prescribed in section 30-113; provided nothing in this section shall prohibit any common carrier, warehouseman or other lien holder, or any officer acting under legal process, or any insurance company that acquires the same as the result of fire, flood or water damage, from exercising the right of such person or such entity to sell alcoholic liquor under a lien or such process or such acquisition, with the permission of the department. The provisions of this section shall not apply to the delivery to a permittee under this chapter of alcoholic liquor which is legally authorized. The provisions of this section shall not apply to the shipment into this state of ethyl alcohol intended for use or used for scientific, mechanical and industrial uses, for use in hospitals and public institutions, for medicinal purposes in the manufacture of patented, proprietary, medicinal, pharmaceutical, antiseptic, toilet, scientific, chemical, mechanical and industrial preparations or products not sold as a beverage for human consumption, nor to the shipment of wine to be used in the manufacture of patented, proprietary or pharmaceutical preparations or products or in the manufacture of fruit preserves. No such shipment shall be made except with the approval of the department and only in such manner as the department prescribes. The department shall notify the Commissioner of Revenue Services of the approval of any such shipment.

(b) The provisions of this section shall not prohibit a person, other than a minor, from producing beer for personal or family use only, in the following amounts: (1) One hundred gallons or less in one calendar year if there are two persons who have attained the age of twenty-one residing in the household; and (2) fifty gallons or less in one calendar year if there is only one person who has attained the age of twenty-one residing in the household. Such beer may be transported in sealed containers for use at organized affairs including beer exhibitions, contests or competitions. Such beer shall not be sold or offered for sale.

(1949 Rev., S. 4303; 1957, P.A. 239; P.A. 77-614, S. 139, 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 74, 83; P.A. 96-220, S. 4, 7; P. A. 01-92, S. 3; June 30 Sp. Sess. P.A. 03-6, S.146(d); P.A. 04-169, S. 17; 04-189,S. 1.)

Sec. 30-78. Nuisance. Disposal. All alcoholic liquor which is intended by the owner or keeper thereof to be manufactured or sold in violation of law shall, together with the vessels in which such liquor is contained, be a nuisance. The Department of Consumer Protection may dispose of any intoxicating liquor, acquired in connection with the administration of this chapter, by public or private sale in such manner and upon such terms as it deems practical and, in cases where sale is impracticable, by delivering it to any state institution which has use therefor. All proceeds from such sale shall be paid into the State Treasury to the credit of the General Fund.

(1949 Rev., S. 4286; 1953, S. 2169d; 1959, P.A. 222, S. 2; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 75, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-79. Soliciting orders in no-permit towns. Section 30-79 is repealed.

(1949 Rev., S. 4287; February, 1965, P.A. 553, S. 11; P.A. 81-294, S. 21, 22.)

Sec. 30-80. Delivery in town deemed sale. The delivery by the vendor or his agent, within the limits of any town, of any alcoholic liquor shall be deemed a sale of such liquor within such town, although the contract for the sale of such liquor is made outside the limits of such town.

(1949 Rev., S. 4304.)

Sec. 30-81. Unsuitable persons prohibited from having financial interest in permit businesses. Employment of minors restricted. No person who is, by statute or regulation, declared to be an unsuitable person to hold a permit to sell alcoholic liquor shall be allowed to have a financial interest in any such permit business. Except as provided in section 30-90a, no minor shall be employed in any premises operating under a tavern permit in any capacity or in handling any alcoholic liquor upon, in delivering any alcoholic liquor to, or in carrying or conveying any alcoholic liquor from, any permit premises.

(1949 Rev., S. 4288; 1971, P.A. 137; P.A. 75-642, S. 1; P.A. 81-367, S. 7, 9; P.A. 82-68, S. 2, 11; P.A. 93-139, S. 64.)

Sec. 30-82. Sale pending renewal of permit. No criminal information or process shall be issued against an applicant for the renewal of a permit pending the decision of the Department of Consumer Protection upon such application, or pending determination of any appeal from any such decision of the department; provided such application shall have been made and filed with the department before the expiration of his former permit within the time and in the form required by the department, and provided the application shall conform in all other respects with the restrictions contained in his former permit. The right to sell alcoholic liquor, as provided in this chapter, may be revoked by the department in the same manner as provided in section 30-55.

(1949 Rev., S. 4289; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 76, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Secs. 30-83 to 30-85. Selectmen to give permittees lists of drinkers receiving town aid. Sales to relatives. Liquors not to be sent to certain persons or their abodes. Sections 30-83 to 30-85, inclusive, are repealed.

(1949 Rev., S. 4290-4292; 1971, P.A. 343, S. 1.)

Sec. 30-86. Sales to minors, intoxicated persons and drunkards. Exceptions. Use of transaction scan devices, prohibited acts, as affirmative defense. (a) As used in this section: (1) "Cardholder" means any person who presents a driver's license or an identity card to a permittee or permittee's agent or employee, to purchase or receive alcoholic liquor from such permittee or permittee's agent or employee; (2) "Identity card" means an identification card issued in accordance with the provisions of section 1-1h; (3) "Transaction scan" means the process by which a permittee or permittee's agent or employee checks, by means of a transaction scan device, the validity of a driver's license or an identity card; and (4) "Transaction scan device" means any commercial device or combination of devices used at a point of sale that is capable of deciphering in an electronically readable format the information encoded on the magnetic strip or bar code of a driver's license or an identity card.

(b) (1) Any permittee or any servant or agent of a permittee who sells or delivers alcoholic liquor to any minor or any intoxicated person, or to any habitual drunkard, knowing the person to be such an habitual drunkard, shall be subject to the penalties of section 30-113. (2) Any person who sells, ships, delivers or gives alcoholic liquor to a minor, by any means, including, but not limited to, the Internet or any other on-line computer network, except on the order of a practicing physician, shall be fined not more than one thousand five hundred dollars or imprisoned not more than eighteen months, or both. (3) The provisions of this subsection shall not apply (A) to a sale, shipment or delivery made to a person over age eighteen who is an employee or permit holder under section 30-90a and where such sale, shipment or delivery is made in the course of such person's employment or business, (B) to a sale, shipment or delivery made in good faith to a minor who practices any deceit in the procurement of an identity card issued in accordance with the provisions of section 1-1h, as amended, who uses or exhibits any such identity card belonging to any other person or who uses or exhibits any such identity card that has been altered or tampered with in any way, or (C) to a shipment or delivery made to a minor by a parent, guardian or spouse of the minor, provided such parent, guardian or spouse has attained the age of twenty-one and provided such minor possesses such alcoholic liquor while accompanied by such parent, guardian or spouse. (4) Nothing in this subsection shall be construed to burden a person's exercise of religion under section 3 of article first of the Constitution of the state in violation of subsection (a) of section 52-571b.

(c) (1) A permittee or permittee's agent or employee may perform a transaction scan to check the validity of a driver's license or identity card presented by a cardholder as a condition for selling, giving away or otherwise distributing alcoholic liquor to the cardholder. (2) If the information deciphered by the transaction scan performed under subdivision (1) of this subsection fails to match the information printed on the driver's license or identity card presented by the cardholder, or if the transaction scan indicates that the information so printed is false or fraudulent, neither the permittee nor any permittee's agent or employee shall sell, give away or otherwise distribute any alcoholic liquor to the cardholder. (3) Subdivision (1) of this subsection does not preclude a permittee or permittee's agent or employee from using a transaction scan device to check the validity of a document presented as identification other than a driver's license or an identity card, if the document includes a bar code or magnetic strip that may be scanned by the device, as a condition for selling, giving away or otherwise distributing alcoholic liquor to the person presenting the document.

(d) (1) No permittee or permittee's agent or employee shall electronically or mechanically record or maintain any information derived from a transaction scan, except the following: (A) The name and date of birth of the person listed on the driver's license or identity card presented by a cardholder; (B) the expiration date and identification number of the driver's

license or identity card presented by a cardholder. (2) No permittee or permittee's agent or employee shall use a transaction scan device for a purpose other than the purposes specified in subsection (c) of this section or subsection (d) of section 53-344. (3) No permittee or permittee's agent or employee shall sell or otherwise disseminate the information derived from a transaction scan to any third party for any purpose, including, but not limited to, any marketing, advertising or promotional activities, except that a permittee or permittee's agent or employee may release that information pursuant to a court order. (4) Nothing in subsection (c) of this section or this subsection relieves a permittee or permittee's agent or employee of any responsibility to comply with any other applicable state or federal laws or rules governing the sale, giving away or other distribution of alcoholic liquor. (5) Any person who violates this subsection shall be subject to a civil penalty of not more than one thousand dollars.

(e) (1) In any prosecution of a permittee or permittee's agent or employee for selling alcoholic liquor to a minor in violation of subsection (b) of this section, it shall be an affirmative defense that all of the following occurred: (A) A cardholder attempting to purchase or receive alcoholic liquor presented a driver's license or an identity card; (B) a transaction scan of the driver's license or identity card that the cardholder presented indicated that the license or card was valid; and (C) the alcoholic liquor was sold, given away or otherwise distributed to the cardholder in reasonable reliance upon the identification presented and the completed transaction scan. (2) In determining whether a permittee or permittee's agent or employee has proven the affirmative defense provided by subdivision (1) of this subsection, the trier of fact in such prosecution shall consider that reasonable reliance upon the identification presented and the completed transaction scan may require a permittee or permittee's agent or employee to exercise reasonable diligence and that the use of a transaction scan device does not excuse a permittee or permittee's agent or employee from exercising such reasonable diligence to determine the following: (A) Whether a person to whom the permittee or permittee's agent or employee sells, gives away or otherwise distributes alcoholic liquor is twenty-one years of age or older; and (B) whether the description and picture appearing on the driver's license or identity card presented by a cardholder are those of the cardholder.

(1949 Rev., S. 4293; 1971, P.A. 343, S. 2; P.A. 82-68, S. 3, 11; P.A. 84-478, S. 2, 5; P.A. 86-151, S. 3; P.A. 99-237, S. 1; P.A. 01-92, S. 1; P.A. 03-19, S. 71; P.A. 06-112, S. 3.)

Sec. 30-86a. Statement from purchaser as to age. (a) For the purposes of section 30-86, any permittee shall require any person whose age is in question to fill out and sign a statement in the following form on one occasion when each such person makes a purchase:

....., 20..

I,, hereby represent to, a permittee of the Connecticut Department of Consumer Protection, that I am over the age of 21 years, having been born on, 19.., at, This statement is made to induce said permittee to sell or otherwise furnish alcoholic beverages to the undersigned. I understand that title 30 of the general statutes prohibits the sale of alcoholic liquor to any person who is not twenty-one years of age.

I understand that I am subject to a fine of one hundred dollars for the first offense and not more than two hundred fifty dollars for each subsequent offense for wilfully misrepresenting my age for the purposes set forth in this statement.

.... (Name)

.... (Address)

Such statement once taken shall be applicable both to the particular sale in connection with which such statement was taken, as well as to all future sales at the same premises, and shall have full force and effect under subsection (b) of this section as to every subsequent sale or purchase. Such statement shall be printed upon appropriate forms to be furnished by the permittees and approved by the Department of Consumer Protection and shall be kept on file on the permit premises, alphabetically indexed, in a suitable file box, and shall be open to inspection by the Department of Consumer Protection or any of its agents or inspectors at any reasonable time. Any person who makes any false statement on a form signed by him as required by this section shall be fined not more than one hundred dollars for the first offense and not more than two hundred fifty dollars for each subsequent offense.

(b) In any case where such a statement has been procured and the permittee is subsequently charged with serving or furnishing alcoholic beverages to a minor, if such permittee, in proceedings before any court of this state or the Department of Consumer Protection, introduces such statement in evidence and shows that the evidence presented to him to establish the age of the purchaser was such as would convince a reasonable man, no penalty shall be imposed on such permittee.

(1963, P.A. 358, S. 2, 3; February, 1965, P.A. 149; 1967, P.A. 331; 1972, P.A. 127, S. 58; P.A. 77-614, S. 165, 610; P.A. 78-303, S. 80, 136; P.A. 80-482, S. 170, 199, 348; P.A. 82-68, S. 4, 11; P.A. 83-508, S. 3; P.A. 85-264, S. 2, 4; P.A. 93-139, S. 65; P.A. 95-195, S. 77, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1; P.A. 05-288, S. 133.)

Sec. 30-86b. Photographing a person whose age is in doubt, or photocopying such person's driver's license or identity card. Use of photograph or photocopy. Regulations. Affirmative defense. (a) A permittee issued a permit pursuant to this chapter or an agent or employee of such permittee may require any person whose age is in question to have such person's photograph be taken by, and a photocopy of such person's driver's license or identity card issued in accordance with the provisions of section 1-1h, be made by, such permittee, agent or employee as a condition of selling or delivering alcoholic liquor to such person.

(b) No permittee or agent or employee of a permittee shall use a photograph taken or a photocopy made pursuant to subsection (a) of this section for a purpose other than the purpose specified in said subsection (a).

(c) No permittee or agent or employee of a permittee shall sell or otherwise disseminate a photograph taken or a photocopy made pursuant to subsection (a) of this section, or any information derived from such photocopy, to any third party for any purpose including, but not limited to, any marketing, advertising or promotional activities, except that a permittee or an agent or employee of a permittee may release such photograph, photocopy or information pursuant to a court order.

(d) The Department of Consumer Protection shall adopt regulations, in accordance with chapter 54, to establish guidelines and specifications for the photographic equipment to be used and the format of the photograph to be taken by a permittee or an agent or employee of a permittee.

(e) In any prosecution of a permittee or an agent or employee of a permittee for selling or delivering alcoholic liquor to a minor in violation of subsection (b) of section 30-86, it shall be an affirmative defense that such permittee, agent or employee sold or delivered alcoholic liquor to such minor in good faith and in reasonable reliance upon the identification presented by such minor and, pursuant to subsection (a) of this section, photographed the minor and made a photocopy of such identification. In support of such defense, such permittee, agent or employee may introduce evidence of such photograph and photocopy.

(P.A. 04-230, S. 1.)

Sec. 30-87. Inducing minors to procure liquor. Exceptions. Official investigation or enforcement activity. Any person who induces any minor to procure alcoholic liquor from any person permitted to sell such alcoholic liquor shall be subject to the penalties prescribed in section 30-113. The provisions of this section shall not apply to (1) the procurement of liquor by a person over age eighteen who is an employee or permit holder under section 30-90a where such procurement is made in the course of such person's employment or business, or (2) any such inducement in furtherance of an official investigation or enforcement activity conducted by a law enforcement agency. Nothing in this section shall be construed to prevent any action from being taken under section 30-55 or section 30-86, or both, against any person permitted to sell alcoholic liquor who has sold alcoholic liquor to a minor where such minor is participating in an official investigation or enforcement activity conducted by a law enforcement agency.

(1949 Rev., S. 4294; P.A. 82-68, S. 5, 11; P.A. 98-164, S. 2.)

Sec. 30-88. Identity card. Section 30-88 is repealed.

(1957, P.A. 260, S. 1, 2, 3; 1972, P.A. 127, S. 59; P.A. 75-641, S. 23; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 81-308, S. 1, 2.)

Sec. 30-88a. Operator's license as proof of age. Misrepresentation of age to procure liquor. Each person who attains the age of twenty-one years and has a motor vehicle operator's license, containing a full-face photograph of such person, may use, and each permittee may accept, such license as legal proof of the age of the licensee for the purposes of this chapter. Any person who, for the purpose of procuring alcoholic liquor, misrepresents his or her age or uses or exhibits an operator's license belonging to any other person shall be fined not less than two hundred dollars or more than five hundred dollars or imprisoned not more than thirty days, or both.

(P.A. 78-155; P.A. 82-68, S. 6, 11; P.A. 83-508, S. 4; 83-571, S. 2; P.A. 85-264, S. 3, 4; P.A. 93-139, S. 66; P.A. 03-171, S. 14; P.A. 04-257, S. 48.)

Sec. 30-89. Procuring liquor by person forbidden to purchase or by false statement, public possession of liquor by minors prohibited. Exceptions. (a) Any person to whom the sale of alcoholic liquor is by law forbidden who purchases or attempts to purchase such liquor or who makes any false statement for the purpose of procuring such liquor shall be fined not less than two hundred nor more than five hundred dollars.

(b) Any minor who possesses any alcoholic liquor on public or private property shall, for a first offense, have committed an infraction and, for any subsequent offense, be fined not less than two hundred dollars or more than five hundred dollars. The provisions of this subsection shall not apply to (1) a person over age eighteen who is an employee or permit holder under section 30-90a and who possesses alcoholic liquor in the course of such person's employment or business, (2) a minor who possesses alcoholic liquor on the order of a practicing physician, or (3) a minor who possesses alcoholic liquor while accompanied by a parent, guardian or spouse of the minor, who has attained the age of twenty-one. Nothing in this subsection shall be construed to burden a person's exercise of religion under section 3 of article first of the Constitution of the state in violation of subsection (a) of section 52-571b.

(1949 Rev., S. 4302; 1963, P.A. 358, S. 1; P.A. 82-68, S. 7, 11; P.A. 83-571, S. 3; P.A. 86-151, S. 4; P.A. 90-72, S. 2;; P.A. 06-112, S. 2.)

Sec. 30-90. Loitering on permit premises. Any permittee who, by himself, his servant or agent, permits any minor or any person to whom the sale or gift of alcoholic liquor has been forbidden according to law to loiter on his premises where such liquor is kept for sale, or allows any minor other than a person over age eighteen who is an employee or permit holder under section 30-90a or a minor accompanied by his parent or guardian, to be in any room where alcoholic liquor is served at any bar, shall be subject to the penalties of section 30-113.

(1949 Rev., S. 4295; 1972, P.A. 177; P.A. 77-149; P.A. 82-68, S. 8, 11.)

Sec. 30-90a. Employment of minors. Permits held by, and financial interests of, persons over eighteen on July 1, 1982, not affected. Any person over age eighteen may be employed by an employer holding a permit issued under this chapter except that any person fifteen years of age or older may be so employed by such an employer on premises operating under a grocery store beer permit. A minor performing paid or volunteer services of an emergency nature shall be deemed to be an employee subject to the provisions of this section.

(P.A. 82-68, S. 9, 11; P.A. 88-364, S. 89, 123; P.A. 93-139, S. 67.)

Sec. 30-91. Hours and days of closing. Exemption. (a) The sale or the dispensing or consumption or the presence in glasses or other receptacles suitable to permit the consumption of alcoholic liquor by an individual in places operating under hotel permits, restaurant permits, cafe permits, restaurant permits for catering establishments, bowling establishment permits, racquetball facility permits, club permits, coliseum permits, coliseum concession permits, special sporting facility restaurant permits, special sporting facility employee recreational permits, special sporting facility guest permits, special sporting facility concession permits, special sporting facility bar permits, golf country club permits, nonprofit public museum permits, university permits, airport restaurant permits, airport bar permits, airport airline club permits, tavern permits, a manufacturer permit for a brew pub, casino permits, caterer liquor permits and charitable organization permits shall be unlawful on: (1) Monday, Tuesday, Wednesday, Thursday and Friday between the hours of one o'clock a.m. and nine o'clock a.m.; (2) Saturday between the hours of two o'clock a.m. and nine o'clock a.m.; (3) Sunday between the hours of two o'clock a.m. and eleven o'clock a.m.; (4) Christmas, except (A) for alcoholic liquor that is served where food is also available during the hours otherwise permitted by this section for the day on which Christmas falls, and (B) by casino permittees at casinos, as defined in section 30-37k; and (5) January first between the hours of three o'clock

a.m. and nine o'clock a.m., except that on any Sunday that is January first the prohibitions of this section shall be between the hours of three o'clock a.m. and eleven o'clock a.m.

(b) Any town may, by vote of a town meeting or by ordinance, reduce the number of hours during which sales under subsection (a) of this section, except sales pursuant to an airport restaurant permit, airport bar permit or airport airline club permit, shall be permissible. In all cases when a town, either by vote of a town meeting or by ordinance, has acted on the sale of alcoholic liquor or the reduction of the number of hours when such sale is permissible, such action shall become effective on the first day of the month succeeding such action and no further action shall be taken until at least one year has elapsed since the previous action was taken.

(c) Notwithstanding any provisions of subsections (a) and (b) of this section to the contrary, such sale or dispensing or consumption or presence in glasses in places operating under a bowling establishment permit shall be unlawful before two p.m. on any day, except in that portion of the permit premises which is located in a separate room or rooms entry to which, from the bowling lane area of the establishment, is by means of a door or doors which shall remain closed at all times except to permit entrance and egress to and from the lane area. Any alcoholic liquor sold or dispensed in a place operating under a bowling establishment permit shall be served in containers such as, but not limited to, plastic or glass. Any town may, by vote of a town meeting or by ordinance, reduce the number of hours during which sales under this subsection shall be permissible.

(d) The sale or dispensing of alcoholic liquor in places operating under package store permits, drug store permits, manufacturer permits for beer or grocery store beer permits shall be unlawful on Decoration Day, Independence Day, Labor Day, Thanksgiving Day, New Year's Day, Sunday or Christmas or, if Independence Day, Christmas or New Year's Day occurs on a Sunday, on the Monday next following such day except that such sale or dispensing shall be lawful on any Independence Day occurring on a Saturday; and such sale or dispensing of alcoholic liquor in places operating under package store permits, drug store permits, manufacturer permits for beer and grocery store beer permits shall be unlawful on any other day before eight o'clock a.m. and after nine o'clock p.m. It shall be unlawful for the holder of a manufacturing permit for a brew pub to sell beer for consumption off the premises on the days or hours prohibited by this subsection. Any town may, by a vote of a town meeting or by ordinance, reduce the number of hours during which such sale shall be permissible.

(e) In the case of any premises operating under a tavern permit or premises operating under a cafe permit, wherein, under the provisions of this section, the sale of alcoholic liquor is forbidden on certain days or hours of the day, or during the period when a tavern permit or cafe permit is suspended, it shall likewise be unlawful to keep such premises open to, or permit it to be occupied by, the public on such days or hours.

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

(g) Notwithstanding any provision of subsection (a) of this section to the contrary, food or nonalcoholic beverages may be sold, dispensed or consumed in places operating under an airport restaurant permit, an airport bar permit or an airport airline club permit, at any time, as allowed by agreement between the state of Connecticut and its lessees or concessionaires.

(h) The sale or the dispensing or consumption or the presence in glasses or other receptacles suitable to permit the consumption of alcoholic liquor by an individual in places operating under a nonprofit golf tournament permit shall be unlawful on any day prior to eleven o'clock a.m. and after nine o'clock p.m.

(i) The tasting of free samples of beer by visitors of a permittee holding a manufacturing permit for beer on the premises of such permittee shall be unlawful on Sunday before eleven o'clock a.m. and after eight o'clock p.m. and on any other day before ten o'clock a.m. and after eight o'clock p.m. Nothing in this section shall be construed to limit the right of a holder of such permit to conduct manufacturing operations at any time. Any town may, by vote of a town meeting or ordinance, reduce the number of hours during which the tasting and free samples of beer under this subsection shall be permissible.

(j) Nothing in this section shall be construed to require any permittee to continue the sale or dispensing of alcoholic liquor until the closing hour established under this section.

(1949 Rev., S. 4296; 1949, March, 1950, 1951, S. 2170d; 1957, P.A. 617, S. 2; 1961, P.A. 301; February, 1965, P.A. 553, S. 12; 1967, P.A. 365, S. 4; 489; 1971, P.A. 89, S. 1; 254, S. 5; 309, S. 1; 541; 1972, P.A. 1, S. 1; 68, S. 5; 294, S. 32; P.A. 73-11; 73-533, S. 7; P.A. 74-181, S. 1, 2; 74-307, S. 12; P.A. 75-598, S. 5; P.A. 76-347, S. 6; P.A. 79-272; P.A. 80-181; 80-198, S. 1; P.A. 81-169, S. 1, 3; 81-367, S. 8, 9; P.A. 82-33, S. 1, 2; 82-299, S. 5, 6; P.A. 83-283, S. 4, 5; P.A. 84-494, S. 10, 11; 84-546, S. 80, 173; P.A. 85-380, S. 4, 10, 12; P.A. 86-403, S. 98, 132; P.A. 87-321, S. 5, 6; P.A. 89-181, S. 5, 6; P.A. 90-44; P.A. 93-139, S. 68; P.A. 95-161, S. 2; P.A. 99-159, S. 3; P.A. 00-192, S. 77, 102; P.A. 01-17, S. 1; June 30 Sp. Sess. P.A. 03-1, S. 103; P.A. 05-7, S. 2; 05-226, S. 2, 3; 05-288, S. 134.)

Sec. 30-91a. Effect of prior local votes re Sunday sale. (a) In all cases where a town, either by vote of a town meeting or by ordinance, had, prior to April 30, 1971, authorized the sale of alcoholic liquor on Sunday between the hours of twelve o'clock noon and nine o'clock in the evening, such sale shall be authorized until the time specified in section 30-91 unless an earlier closing hour is established by town meeting or ordinance after April 30, 1971.

(b) Nothing in section 30-91 shall be construed to supersede any action taken by a town prior to May 25, 1971, to prohibit the sale of alcoholic liquor in such town from midnight on Saturday until one a.m. on Sunday and such action shall be construed to prohibit such sale from midnight on Saturday until two a.m. on Sunday in such town.

(c) In all towns in which the sale of alcoholic liquor on Sunday between the hours of twelve o'clock noon and the time specified in section 30-91 is permitted, prior to June 5, 1975, in a place operating under a hotel permit, a restaurant permit or a cafe permit, such sale shall be authorized on Sunday between such hours in a place operating under a tavern permit unless such sale is prohibited by town meeting or ordinance after June 5, 1975.

(d) In all towns that have authorized the sale of alcoholic liquor on Sunday commencing at twelve o'clock noon, either by vote of a town meeting or by ordinance, such sale shall be permitted commencing at eleven o'clock a.m. in places operating under permits listed in subsection (a) of section 30-91, unless a later opening hour is established by vote of a town meeting or by ordinance after July 1, 1981.

(1971, P.A. 89, S. 2; 309, S. 2; P.A. 75-299, S. 1, 2; P.A. 80-483, S. 156, 186; P.A. 81-169, S. 2, 3; P.A. 82-38, S. 1, 2; P.A. 93-139, S. 69.)

Sec. 30-92. Capacity of beer containers. Section 30-92 is repealed.

(1949 Rev., S. 4321; 1957, P.A. 333, S. 1; February, 1965, P.A. 231; 1967, P.A. 298; 299; P.A. 78-85.)

Sec. 30-92a. Bottle size, conversion to metric system. (a) Any person holding a manufacturer permit, a wholesaler permit or an out-of-state shippers permit under this chapter, shall convert his bottle size to the metric system of weights and measures on or before January 1, 1979, for wine. Any such person may convert his bottle size to such metric system for wine prior to such date or for spirits and alcohol at any time, provided he files notice of such conversion with the Department of Consumer Protection thirty days prior to such conversion. No bottle size converted to such metric system shall be reconverted to the United States customary system of weights and measures.

(b) Repealed by P.A. 03-235, S. 5, effective June 26, 2003.

P.A. 75-259, S. 7, 8; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 84-126; (P.A. 95-195, S. 78, 83; P.A. 03-235, S. 5; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-92b. Beer packaging. (a) A permittee issued a permit pursuant to section 30-20 who sells beer not to be consumed on the permit premises may sell bottles or cans of beer only (1) in the original package material in which the bottles or cans of beer were received, (2) as individual bottles or cans, or (3) if repackaged in a manner that is not misleading to a consumer or that does not result in omitting or obscuring any labeling required by statute or regulation.

(b) Nothing in subsection (a) of this section shall prevent a holder of a permit issued pursuant to the provisions of this title from making a claim for the replacement of beer delivered in a damaged condition to the holder of such permit by a wholesaler.

(P.A. 01-14.)

Sec. 30-93. Containers to be sealed. Alcoholic liquors, except beer, cider, wine and cordials shall be purchased by the holders thereof in sealed bottles or containers and poured for sale and consumption from the original bottles or containers. No such bottle or container shall be refilled in whole or in part.

(1949 Rev., S. 4322; February, 1965, P.A. 553, S. 13; P.A. 73-563, S. 2; P.A. 75-259, S. 6, 8; P.A. 82-332, S. 9, 13; P.A. 93-89.)

Sec. 30-93a. Regulation of shipments into state. Any person who ships into this state any package or carton containing alcoholic liquor shall, for each offense, be fined not more than one thousand dollars or imprisoned not more than one year or both, unless (1) the contents of such package or carton are clearly marked on the outside of such package or carton, and (2) such person conditions delivery of such alcoholic liquor upon the signature of an individual who is (A) at least twenty-one years of age, or (B) legally authorized to receive such alcoholic liquor under the provisions of this chapter.

(P.A. 99-237, S. 2.)

Sec. 30-94. Gifts, loans and discounts prohibited between permittees. Tie-in sales. Floor stock allowance. Depletion allowance. (a) No permittee or group of permittees licensed under the provisions of this chapter, in any transaction with another permittee or group of permittees, shall directly or indirectly offer, furnish or receive any free

goods, gratuities, gifts, prizes, coupons, premiums, combination items, quantity prices, cash returns, loans, discounts, guarantees, special prices or other inducements in connection with the sale of alcoholic beverages or liquors. No such permittee shall require any purchaser to accept additional alcoholic liquors in order to make a purchase of any other alcoholic liquor.

(b) Notwithstanding the provisions of subsection (a) of this section and subsection (b) of section 30-63, a holder of a manufacturer permit issued under subsection (a) of section 30-16 or an out-of-state shipper's permit for alcoholic liquor other than beer issued under section 30-18 may offer and provide to a holder of a wholesaler permit issued under subsection (a) of section 30-17 a floor stock allowance or a depletion allowance, or both, with the prior approval of the department. Such allowances shall be offered and provided on a nondiscriminatory basis to all such wholesaler permittees authorized to distribute the products of any such manufacturer or out-of-state shipper permittee in accordance with such requirements as the department may prescribe by regulation adopted under chapter 54, provided (1) no such manufacturer or out-of-state shipper permittee may require any such wholesaler permittee to participate in any program providing such allowances, and (2) the rate or percentage used to calculate any such allowance may not vary based on the quantity of alcoholic liquor other than beer that is sold. As used in this subsection, "floor stock allowance" means any rebate, discount or other inducement that is given to a wholesaler permittee to be used for the sales promotion or the destruction of any alcoholic liquor other than beer that is stored in the wholesaler permittee's warehouse or other storage facilities at the time such rebate, discount or other inducement is given, and "depletion allowance" means any rebate, discount or other inducement used for the sales promotion of any alcoholic liquor other than beer that is given to a wholesaler permittee based on the amount of such alcoholic liquor subject to such promotion that is sold at wholesale by the wholesaler permittee.

(1955, S. 2181d; P.A. 98-4.)

Sec. 30-95. Advertising and bottling. No electric or neon sign advertising the sale of any registered brand of alcoholic liquor shall be attached to the outside of any permit premises and there shall be no advertising, labeling, bottling or canning of alcoholic liquor which, in any way, deceives or tends to deceive a purchaser or consumer of such alcoholic liquor as to the nature, quality or quantity of such liquor, and all advertising, labeling, bottling or canning of alcoholic liquors shall be subject to such regulations as the Department of Consumer Protection prescribes, provided nothing contained in this chapter shall prohibit the mailing of magazines imprinted with an identification or a designation of a package store, which magazines contain therein recipes, articles and advertisements of quality foods, cookery items and potables irrespective of whether or not the recipients thereof reside in no-permit towns.

(1949 Rev., S. 4320; 1961, P.A. 242; P.A. 75-252, S. 1, 2; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 79, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-95a. Display of trademarks by permittees. Any retail liquor permittee may display on the outside walls of his permit premises a trademark of any manufacturer or wholesaler of alcoholic beverages if such trademark has specific reference only to some product other than such alcoholic beverage.

(February, 1965, P.A. 427.)

Sec. 30-96. When music permitted. Section 30-96 is repealed.

(1949 Rev., S. 4297; February, 1965, P.A. 212; P.A. 74-16, S. 1, 2.)

Sec. 30-97. Town and probate records not to be kept where liquor is sold. Section 30-97 is repealed, effective October 1, 2002.

(1949 Rev., S. 4298; S.A. 02-12, S. 1.)

Sec. 30-98. Liquor not to be furnished to prisoners. Every jailer, prisonkeeper or other officer who furnishes, or suffers to be furnished, to any prisoner under his charge any alcoholic liquor, except as medicine, and any person who delivers to any such prisoner any alcoholic liquor without authority from such keeper, shall be subject to the penalties of section 30-113.

(1949 Rev., S. 4299.)

Sec. 30-99. Denatured alcohol or adulterated liquor. Any person who transports, manufactures, possesses, sells, keeps for sale or distills for beverage purposes any denatured alcohol or any alcoholic liquor, which is adulterated with any deleterious or poisonous substance, shall be fined not more than one thousand dollars or imprisoned not more than two years.

(1949 Rev., S. 4300.)

Sec. 30-100. Bottle clubs. (a) A person, partnership, organization, association, society or corporation, not licensed under the provisions of this chapter, shall not, except during the hours when the sale of alcoholic liquor is lawful under the provisions of subsection (a) of section 30-91, own, maintain, lease or otherwise furnish to its members, their guests or other persons any premises, building, apartment or place wherein such members, guests or other persons may engage in the drinking of alcoholic liquor for a fee or other consideration. A fee or other consideration includes the sale of food, mixers, ice or other fluids used with alcoholic drinks, or the storage of alcoholic liquor.

(b) A violation of any provision of subsection (a) of this section shall be punishable as provided in section 30-113.

(c) Any town may provide by ordinance that the provisions of this section shall not be effective in the town.

(1953, S. 2174d, 2175d; P.A. 93-139, S. 70; P.A. 99-194, S. 26.)

Sec. 30-101. Pharmacist, breaking law, forfeits permit and license. Every pharmacist who, by himself, his agent or employee, sells alcoholic liquor to be drunk on the premises shall, upon conviction, forfeit both his druggist's permit for the sale of such liquor and his pharmacist's license, and be subject to the penalties of section 30-113.

(1949 Rev., S. 4301.)

Sec. 30-102. Dram Shop Act; liquor seller liable for damage by intoxicated person. No negligence cause of action for sale to person twenty-one years of age or older. If any person, by such person or such person's agent, sells any alcoholic liquor to an intoxicated person, and such purchaser, in consequence of such intoxication, thereafter injures the person or property of another, such seller shall pay just damages to the person injured, up to the amount of two hundred fifty thousand dollars, or to persons injured in consequence of such intoxication up to an aggregate amount of two hundred fifty thousand dollars, to be

recovered in an action under this section, provided the aggrieved person or persons shall give written notice to such seller within sixty days of the occurrence of such injury to person or property of such person's or persons' intention to bring an action under this section. In computing such sixty-day period, the time between the death or incapacity of any aggrieved person and the appointment of an executor, administrator, conservator or guardian of such person's estate shall be excluded, except that the time so excluded shall not exceed one hundred twenty days. Such notice shall specify the time, the date and the person to whom such sale was made, the name and address of the person injured or whose property was damaged, and the time, date and place where the injury to person or property occurred. No action under the provisions of this section shall be brought but within one year from the date of the act or omission complained of. Such injured person shall have no cause of action against such seller for negligence in the sale of alcoholic liquor to a person twenty-one years of age or older.

(1949 Rev., S. 4307; 1955, S. 2172d; 1957, P.A. 306; 1959, P.A. 631, S. 1; 1961, P.A. 432; P.A. 74-144, S. 1, 2; P.A. 86-338, S. 7; P.A. 87-227, S. 11; P.A. 03-91, S. 1.)

Sec. 30-103. Contracts and actions based on illegal sales. All contracts, conveyances, liens, attachments and securities, any part of the consideration of which has been the illegal sale of alcoholic liquor, shall be void; and no action of any kind shall be maintained for the price of any such liquor sold in any other state or country contrary to its laws, or sold anywhere with intent to enable any person to violate any law of this state relating to the sale of such liquor, nor shall any action be maintained for the recovery of the possession of any such liquors held by the owner or possessor thereof contrary to law, or for damages for the seizure of the same; but the provisions of this section shall not affect the holder of any property or chose in action, who may have taken the same in good faith and without notice of any defect in the inception or transfer of its title.

(1949 Rev., S. 4314.)

Sec. 30-104. Jurisdiction. Section 30-104 is repealed.

(1949 Rev., S. 4308; 1959, P.A. 28, S. 204.)

Sec. 30-105. Prosecutions. The state's attorneys and the assistant or deputy assistant state's attorneys shall have the right to bring and prosecute all violations of the laws relating to the sale of alcoholic liquor.

(1949 Rev., S. 4309; 1959, P.A. 28, S. 66; 1963, P.A. 642, S. 34; P.A. 74-183, S. 266, 291; P.A. 76-436, S. 229, 681.)

Sec. 30-106. Entry into disorderly house by officer. Every officer who has a warrant for the arrest of any person charged with keeping a house of ill-fame, or a house reputed to be a house of ill-fame, or a house of assignation or a house where lewd, dissolute or drunken persons resort, or where drinking, carousing, dancing and fighting are permitted, to the disturbance of the neighbors, or with violating any law against gaming in the house or rooms occupied by such person, or with resorting to any house for any of said purposes, and every officer who has a warrant for the arrest of any person charged with keeping open any room, place, enclosure, building or structure, of any kind or description, in which it is reputed that alcoholic liquor is exposed for sale contrary to law, or with selling alcoholic liquor in any place contrary to law, or for the seizure of alcoholic liquor, may, at any time, for the purpose of gaining admission to such house, room, place, enclosure, building or structure, or for the purpose of arresting any of the persons aforesaid, make violent entry into such house, room, place, enclosure, building or structure, or any part thereof, after demanding admittance and

giving notice that the officer is an officer and has such warrant, and may arrest any person so charged and take such person before the proper authority. The Department of Consumer Protection, its agents and any member of any organized police department in any town, city or borough, and any state policeman, may, at any time, enter upon the premises of any permittee to ascertain the manner in which such person conducts business and to preserve order.

(1949 Rev., S. 4310; 1959, P.A. 516; P.A. 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 80, 83; P.A. 00-99, S. 80, 154; P.A. 01-195, S. 94, 181; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-107. Arrest and seizure without warrant. Disposition of illegal liquor. Any official so authorized in section 54-1f may, without a warrant, arrest any person whom he finds in the act of illegally manufacturing or selling alcoholic liquor, and seize the liquor, vessels and implements of manufacture or sale in the possession of such person and detain them in some place of safekeeping. Any property seized pursuant to this section may be adjudged a nuisance by the judge or court having jurisdiction of such arrested person and ordered destroyed or otherwise disposed of in the manner provided in section 54-33g.

(1949 Rev., S. 4313; 1959, P.A. 28, S. 169; 1971, P.A. 130.)

Sec. 30-108. Court may order analysis of liquor. When any prosecution is pending for manufacturing, selling or keeping with intent to sell any alcoholic liquor, and a sample of such liquor is presented in court, the court may order such sample to be conveyed to a state chemist for analysis and may adjourn the trial of such prosecution a reasonable time for such analysis.

(1949 Rev., S. 4315.)

Sec. 30-109. State chemist to analyze samples. Copies of analysis to be evidence. Each state chemist shall analyze all samples of alcoholic liquor presented to him for that purpose by any legal officer and keep a record of all such samples, stating the kind of liquor, the name and address of the person from whom he received it and the result of his analysis. Copies of records of any analysis of liquors, made by a state chemist or a United States government chemist and certified by him, shall be legal evidence of the facts stated in such records.

(1949 Rev., S. 4316.)

Sec. 30-110. Tampering with analysis. No person shall tamper with samples of alcoholic liquor mentioned in sections 30-108 and 30-109 or alter the statements made upon the forms or certificates of the state chemist.

(1949 Rev., S. 4317.)

Sec. 30-111. Reports of convictions, fines and forfeited bonds. The clerks of the Superior Court shall report in writing the first Monday of every month to the Department of Consumer Protection the names and residences of all persons who have been convicted, paid a fine or penalty or forfeited their bonds, as provided in this chapter; and shall, at the same time, file with the department a certified copy of the record of each such conviction.

(1949 Rev., S. 4318; 1959, P.A. 28, S. 170; 1963, P.A. 642, S. 35; P.A. 75-567, S. 27, 80; P.A. 77-452, S. 60, 72; 77-614, S. 165, 587, 610; P.A. 78-303, S. 80, 85, 136; P.A. 80-482, S. 4, 170, 191, 345, 348; P.A. 95-195, S. 81, 83; June 30 Sp. Sess. P.A. 03-6, S. 146(d); P.A. 04-169, S. 17; 04-189, S. 1.)

Sec. 30-112. Civil action barred on certain debts. No civil action shall be maintained upon any debt incurred for the sale of alcoholic liquor, except upon any debt incurred in the purchase of alcoholic liquor for off-premise consumption or for on-premise consumption together with an order of food, or unless the purchaser at the time of purchase was a permittee purchasing for resale.

(1949 Rev., S. 4323; 1961, P.A. 563; February, 1965, P.A. 233.)

Sec. 30-113. Penalties. Any person convicted of a violation of any provision of this chapter for which a specified penalty is not imposed, shall, for each offense, be fined not more than one thousand dollars or imprisoned not more than one year or both.

(1949 Rev., S. 4305; P.A. 81-294, S. 18, 22.)

Sec. 30-114. Beer keg identification and receipt requirements. Restrictions on keg deposit refunds. Grounds for permit revocation or suspension. (a) As used in this section, "keg" means any brewery-sealed individual container of beer having a liquid capacity of six gallons or more.

(b) Any holder of a package store permit or a grocery store beer permit under section 30-20 that sells kegs for consumption off the permit premises shall, at the time of sale, (1) place an identification tag on all kegs sold by the permittee, (2) require each purchaser of any such keg to sign a receipt for the keg, and (3) inform such purchaser that any deposit paid by the purchaser for the keg, if required, shall be forfeited if the keg is returned without the original identification tag intact and readable.

(c) (1) The identification tag required under subdivision (1) of subsection (b) of this section shall be in the form of a numbered label, prescribed and furnished by the department, that clearly identifies the seller of the keg. Such tags shall be fabricated and made attachable in such a manner as to make the tag easily removable by a beer manufacturer for the purpose of cleaning and reusing the keg.

(2) The receipt required under subdivision (2) of subsection (b) of this section shall be on a form prescribed and furnished by the department and shall include the name, address and signature of the purchaser of the keg and the purchaser's motor vehicle operator's license number or such other identifying information as the department may prescribe by regulation under section 30-6a. The permittee shall retain a copy of all such receipts on the permit premises for a period of six months. Such receipts shall be available for inspection and copying by the department or any authorized criminal justice agency.

(3) The information required under subdivision (3) of subsection (b) of this section may be given verbally to each purchaser of a keg or may be provided by means of a sign conspicuously posted at the point of sale in such form and containing such disclosures as the department may require by regulation under section 30-6a.

(4) The department may charge a reasonable fee for furnishing the forms required by subdivisions (1) and (2) of this subsection, not to exceed the actual cost of furnishing such forms.

(d) No holder of a package store permit or a grocery store beer permit under section 30-20 may refund any deposit upon the return of any keg that (1) does not have an identification tag

required under subdivision (1) of subsection (b) of this section or (2) has an identification tag that has been defaced to the extent that the information contained on the tag cannot be read.

(e) The violation by any holder of a package store permit or a grocery store beer permit under section 30-20 of any provision of this section shall be cause for revocation or suspension of such permit under section 30-55.

(P.A. 98-236, S. 1, 6.)

Sec. 30-115. Possession of beer keg lacking required identification. False information on beer keg receipt. Penalties. (a) Any person who possesses any keg containing beer that is required to have an identification tag pursuant to section 30-114, knowing that such keg does not have such required identification tag, shall be guilty of a class C misdemeanor. This subsection shall not apply to any manufacturer, shipper, wholesaler or retail seller of beer, or to any person who finds a discarded keg containing beer on such person's property.

(b) Any person who purchases any keg containing beer and who knowingly provides false information on any receipt required by section 30-114 at the time of such purchase shall be guilty of a class C misdemeanor.

(P.A. 98-236, S. 2, 6.)

Public Act No. 06-95

AN ACT BANNING ALCOHOL WITHOUT LIQUID MACHINES.

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

Section 1. (NEW) (*Effective October 1, 2006*) (a) For purposes of this section, "alcohol vaporization device" means a device, machine or process which mixes spirits, alcoholic liquors or any product containing alcoholic liquor with oxygen or any other gas to produce a vaporized product for consumption by humans by inhalation.

(b) No person shall sell, purchase or possess an alcohol vaporization device. No person shall permit such a device on premises licensed for the sale of alcoholic liquor.

(c) Any person who violates subsection (b) of this section shall be fined not more than one thousand dollars or imprisoned not more than six months, or both.

Approved May 30, 2006

Public Act No. 06-112

AN ACT CONCERNING UNDERAGE DRINKING.

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

Section 1. (NEW) (*Effective October 1, 2006*) (a) No person having possession of, or exercising dominion and control over, any dwelling unit or private property shall (1) knowingly permit any minor to possess alcoholic liquor in violation of subsection (b) of section 30-89 of the general statutes, as amended by this act, in such dwelling unit or on such private property, or (2) knowing that any minor possesses alcoholic liquor in violation of subsection (b) of section 30-89 of the general statutes, as amended by this act, in such dwelling unit or on such private property, fail to make reasonable efforts to halt such possession. For the purposes of this subsection, "minor" means a person under twenty-one years of age.

(b) Any person who violates the provisions of subsection (a) of this section shall, for a first offense, have committed an infraction and, for any subsequent offense, be fined not more than five hundred dollars or imprisoned not more than one year, or both.

Approved June 2, 2006

REGULATIONS

Part I: General Provisions

A Permits

Sec. 30-6-A1. New applications

When a complete and correctly executed new application for a permit is received at the office of the department for action, a placard and a form for publication of notice of application shall be mailed to the applicant and an investigation shall be made to evaluate conformance with the statutes, regulations and policies of the department. The proper permit fee and non-refundable filing fee in the form of a certified check, postal money order, bank check or cash shall accompany the application. The department may, in its discretion, accept a noncertified check, credit card, or debit card. An application may be conditionally approved by the department, but no permit shall be issued until the applicant complies with all statutes, regulations, policies and stipulations of the department. No applicant shall sell or deliver or offer or expose for sale or delivery, or ship and transport or import into the state any alcoholic liquor until a permit is issued.

(a) All new applications, except applications for airline, boat, broker, caterer, out-of-state shipper for liquor, out-of-state shipper for beer only, transporter, and railroad permits, shall be accompanied by: zoning officer approval for the proposed use; town clerk approval for the proposed hours of sale; a notarized copy of the pharmacy commission certificate of fitness if the application is for a druggist permit; a notarized copy of the commission on special revenue license if the application is for a permit provided for by section 30-33b of the Connecticut General Statutes; and police approval if the application is for a temporary permit, special club permit or charitable organization permit. The department shall require approval from the local fire marshal for on-premises consumption permits, except airline, boat, caterer, and railroad permits, before a permit shall be issued. Aforementioned additional certifications need not accompany the application, but shall be submitted to the department within a reasonable time to be determined by the department. Applicants shall submit such other certifications as the department may require. If approval is given for a permit for a building which has not been constructed, the applicant and backer shall present to the department a signed stipulation setting forth a time limit for the construction and occupancy for the proposed permit premises, and no permit shall be issued where such applicant and backer fails to conform with such stipulation order.

(b) (1) Every application for an on-premises permit, other than a boat permit, caterer permit, railroad permit, military permit, or airline permit, shall be accompanied by a diagram, sketch, plan or blueprint of the layout of the premises, including performance or stage areas where applicable, eight and one half inches by eleven inches in size with measurements indicated thereon. (2) Every application for a permit, other than a boat permit, caterer permit, charitable organization permit, transporter permit, railroad permit, out-of-state shipper's permit for alcoholic liquors, out-of-state shipper's permit for beer only, military permit, airline permit, special club permit, temporary liquor permit, or temporary beer permit shall be accompanied by one photograph of the exterior of the proposed premises, to be taken from a position directly across the street or highway. Such photograph shall be eight inches by ten inches in size. (3) Every application for a grocery store beer permit also shall be accompanied by photographs eight inches by ten inches in size showing the entire interior of the sales area of the grocery store.

(c) Every application for an on-premises consumption permit, except caterer, railroad, boat, airline, military, charitable organization, special club, temporary liquor, and

temporary beer permit shall be accompanied by photographs of the completed interior of the premises as the department may require. Such photographs shall be eight inches by ten inches in size.

(d) Every applicant for a new restaurant permit shall demonstrate to the satisfaction of the department that adequate staff and facilities will be provided for the operation of the premises as a bona fide restaurant.

(e) Every applicant for a manufacturer or wholesaler permit shall provide a photostatic copy of the federal basic permit, and no such applicant shall be issued a permit until the department receives notification from the Department of Revenue Services that a proper tax bond has been posted by the manufacturer or wholesaler for his proposed premises.

(f) A new application shall be filed whenever there is a change in ownership of the permit premises, except for situations covered by section 30-6-A4 of the Regulations of Connecticut State Agencies, or in situations where the corporate structure changes but the individuals who comprise the current ownership remain the same. The backer or owner on the new application shall not exercise any ownership or dominion over such business until such time as such backer has been approved by the department. If such application is filed less than sixty days prior to the expiration date of the existing permit, the permittee on the existing permit shall be required to file a renewal in order to assure the continuance of the business. The department will permit the dating back of new permits to the expiration date of the previous permit on the premises involved in the change of ownership, where the department is satisfied that the new application was filed in accordance with the provisions of this section.

(g) Applicants shall affix the supplied placard to the outer door of the proposed premises. The placard must be maintained there in a legible condition while the application is pending before the department. Whenever an application is filed for a permit for a building which has not been constructed, or if the outer door of the proposed premises is more than twenty-five feet from the public sidewalk or the edge of the highway, the applicant shall, not later than the day following the date of receipt of the placard, cause to be erected on the proposed location a sign, no less than six feet by four feet in size. Such sign shall set forth the fact that a permit is being requested, the date of receipt of the placard, the type of permit applied for, the name of the proposed permittee, and the name of the proposed backer-owner. The placard shall be attached to such sign. The following form and elements are required for such sign:

of each stockholder of the corporation, and of any corporation having a financial interest in the backer, and the number of shares of stock issued to each stockholder. No transfer by sale or otherwise of any of the shares of stock of the backer corporation, or the corporation which has a financial interest in the backer, may be made or any additional shares of stock issued without notice to and approval by the department except a corporation whose stock is publicly held and sold on a bona fide stock exchange. In publicly held companies of more than one hundred employees, transfers of stock as a result of a bonafide employee stock benefit shall not be filed with the department. In such cases where approval is required, the corporation backer, or any corporation having a financial interest in the backer, shall send to the department for approval a list showing the existing stockholders and the number of shares held, and the proposed stockholders and the proposed number of shares to be held. Notwithstanding any of the foregoing, the department reserves the right to determine the suitability of any stockholder of any corporate backer or stockholder of a corporation which has a financial interest in a corporate backer.

(b) No person, corporation or group of persons or corporations who, through stock ownership or otherwise, control or have the power to control a permit business of one class shall control or have the power to control a permit business of another class of permit, except as permitted by the Connecticut General Statutes.

(c) Repealed, October 28, 1977.
(Effective November 23, 1982; Amended October 1, 2001)

Sec. 30-6-A5. Change of corporation officers

Any change or changes in the officers of a backer corporation or in its board of directors, or board of trustees, shall be forwarded to the commissioner not later than thirty days following such change or changes.

Sec. 30-6-A6. Return of permits: reinstatement

A permit shall be returned immediately to the office of the division of liquor control upon (1) any change of ownership at a permit premises, except changes covered by section 30-6 A4 of the Regulations of Connecticut State Agencies, (2) discontinuance of business for any reason for more than sixty days, or (3) the suspension or revocation of business in connection with a disciplinary action by the division. If the premises are to be closed for sixty days or less, a letter to this effect should be forwarded to the division. A permit returned to the division under subsection (2) shall be considered to be under voluntary suspension. A permit may be renewed while it is under voluntary suspension but the division may not accept more than one such renewal application. Upon request by the permittee or backer in good standing, the division may reinstate the permit. Voluntary suspension shall not relieve the permittee and backer of liability under the liquor control act or under the Regulations of Connecticut State Agencies. The sale, consumption or dispensing of alcoholic liquor shall be prohibited at any permit premises while such permit is under voluntary suspension.

(Effective June 24, 1980; Amended October 1, 2001)

Sec. 30-6-A6a. Termination of permittee's employment

No permittee whose employment has terminated shall remove his permit from the premises, but he and his backer shall notify the department within sixty days of such termination. Following such termination the backer shall designate a substitute permittee within forty-eight hours and notify the department that a substitute has been designated. Within sixty days, the backer shall make application for a certificate of permanent substitution for such designee. The backer shall be considered the permittee until such time that a substitute permittee has been approved by the department.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A7. Substitute certificate

Certificates of permanent substitution of a permittee shall be recorded with the town clerk of the town within which the business is situated, in the same manner as is provided by statute for the recording of a permit.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A7a. Repealed, October 1, 2001.

Sec. 30-6-A8. Suspensions; offers in compromise in lieu of suspensions; revocations

(a) A revocation terminates the life of the permit. A suspension makes the permit inactive for the time indicated by the department.

(b) A permit and any certificate of permanent substitution issued in conjunction therewith may be revoked or suspended after due hearing for any violation, either by the permittee, the backer or their agent, of the liquor control act or of any regulation issued by the department.

(c) The revocation or suspension shall become effective not earlier than forty-five days after the mailing of the order of such revocation or suspension by the Department, except in cases of emergency actions pursuant to section 4-182 (c) of the Connecticut General Statutes, or unless an earlier effective date is agreed to by the permittee and backer, or unless otherwise ordered by the department.

(d) During the period of any suspension as a result of disciplinary action by the department, no permittee shall alter his premises, unless alterations have been expressly approved by the department, nor shall a permittee attach to the exterior or any other part of his permit premises any sign or signs indicating that his premises are "closed for repairs," "closed for alterations" or any such like signs.

(e) Whenever a permit is suspended as a result of disciplinary action by the department, there shall be placed on the permit premises in the front window facing the street, or inside of the door used as a main entrance, if such door is mainly composed of glass and such entrance is located on or adjacent to a street, a placard furnished by said department. This placard shall contain the length of the suspension and the reasons therefor. This placard shall be maintained in place by the permittee until the period of suspension has terminated. A second placard shall be displayed at such place within the permit premises visible to the public as shall be determined by the department.

(f) No alcoholic liquors shall be sold, delivered, offered, ordered or received during the period of suspension. Whenever any permit is under suspension, all liquors shall be securely locked during the period of such suspension. During the period of suspension, a package store shall remain closed for all business. A package store permittee may visit the premises only for the needful care and maintenance of the premises.

(g) During the period of suspension of any manufacturer or wholesaler permit, no sales shall be made and no liquors shall be delivered, nor shall the customers of such permittee be visited or solicited; however, clerical help may be employed.

(h) Whenever a penalty is given on a seasonal permit, it shall be stipulated on renewal that it shall be surrendered at some time during the season wherein the permittee operates, the time to be designated by the department.

(i) Except in the case of a suspension following a final conviction under section 30-57 of the Connecticut General Statutes, the department may, in its discretion, accept an offer in compromise in lieu of a suspension from a permittee or backer whose permit has been suspended after due hearing. Such offer must be submitted in writing not later than ten days from the date of the order of such suspension and must include a waiver of appeal and judicial

review, and a certified check in the amount designated by the department. In the event the department imposes concurrent penalties for more than one violation, then the amount of the fine shall be computed on the number of effective days imposed.

(j) Following a final conviction of the permittee under section 30-57 of the Connecticut General Statutes, upon reaching a decision after due hearing, the department may, in its discretion, notify the permittee and backer in writing as to the amount which may be accepted in lieu of a suspension, indicating the penalty which shall otherwise be imposed. Unless a written offer which shall include a waiver of appeal and judicial review and a certified check in the amount designated by the department are received within ten days from the date of the department's letter, the department shall issue an order suspending the permit for the period of time indicated. In the event the department imposes concurrent penalties for more than one violation, then the amount of the fine shall be computed on the number of effective days imposed.

(k) In considering the amount which may be accepted as an offer in compromise in lieu of suspension, the department may use the following formula:

$\$75 \times \text{number of days of suspension} = \text{offer}$

(Effective January 4, 1990; Amended October 1, 2001)

Sec. 30-6-A8a. Offer in compromise in lieu of a hearing; citations

(a) Whenever the department obtains information or evidence of an alleged violation of the regulations or of the general statutes on any permit premises, and such alleged violation is of a nature to cause institution of proceedings directed to the suspension or revocation of the permit, the department may, at its discretion, accept a petition from the permittee or backer as an offer in compromise in an amount determined by the department. Acceptance of petitioner's offer by the department shall constitute a waiver of petitioner's right to a hearing before the department and any right of appeal to a court with respect to charges pending before the department. Nothing contained in the foregoing shall be construed in any manner as a prejudgment on the part of the department but is instituted for the purpose of benefiting both the permittee and the department in terms of the saving of time, expense and energy.

(b) In matters involving evidence of violation of the following sections of the Liquor Control Act or Regulations of Connecticut State Agencies, the department may accept an offer in compromise in lieu of a hearing in the pre-set amount of fifty dollars:

Conn. Gen. Stat. Sec. 30-21 (a)-Hotel food availability.

Conn. Gen. Stat. Sec. 30-22-Restaurant food availability.

Conn. Gen. Stat. Sec. 30-22a-Cafe food availability.

Conn. Gen. Stat. Sec. 30-23a-Guest book requirements at clubs.

Conn. Gen. Stat. Sec. 30-38-Lockable storage requirements.

Conn. Gen. Stat. Sec. 30-53-Permit recorded.

Conn. Gen. Stat. Sec. 30-54-Permit displayed.

Conn. Gen. Stat. Sec. 30-86a, Reg. Sec. 30-6-A24 (j)-Age statement forms available.

Reg. Sec. 30-6-A12-Permittee name displayed.

Reg. Sec. 30-6-A12a-Trade name notification.

Reg. Sec. 30-6-A17-Lockable storage.

Reg. Sec. 30-6-A23-Sanitation.

Reg. Sec. 30-6-A27(c) - Failure to sign or stamp invoice.

Reg. Sec. 30-6-A27(d)-Invoices.

Reg. Sec. 30-6-A40(j)-Price posting.

Reg. Sec. 30-6-B25a-Daily records.

Reg. Sec. 30-6-B55-Locked beer coolers at grocery stores.

In such cases permittees may receive from department agents, at the time of inspection, preprinted citation forms identifying the violation and containing offers and waivers of the nature described in subsection (a) above which may be filled out and returned to the department together with a certified check in the amount of fifty dollars. Returns received within fourteen days of issuance will be considered for acceptance by the department. Acceptance of a permittee's return and offer shall constitute a waiver of the permittee's right to notice of hearing before the department, and any right to appeal to a court with respect to the charges. If no return is made, or if the offer is not accepted, such events shall not be construed in any manner to prejudge further proceedings before the agency. Nothing in the foregoing shall be construed in any manner as a prejudgment on the part of the department, but it is instituted for the purpose of benefiting both the permittee and the department in terms of the saving of time, expense and energy.

(Effective October 5, 1989; Amended October 1, 2001)

Sec. 30-6-A9. Permittee responsible for actions of employee or agent

In disciplinary proceedings, it shall be no defense that an employee or agent of a permittee or backer acted contrary to order, or that a permittee or backer did not participate in the violating action or actions. A permittee and backer shall be held strictly liable for any violation of the statutes, regulations, policies and stipulations of the department when such violation concerns their permit premises or their applications regarding their proposed permit premises.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A9a. Repealed, October 1, 2001.

Sec. 30-6-A10. Refusal of cooperation by permittees and backers

No permittee or backer or his agent shall refuse to cooperate with or give information to the department, the police authorities or any other enforcement agency upon any matter arising out of the conduct of the permit premises.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A11. Repealed, April 18, 1991.

**B
Premises**

Sec. 30-6-A12. Permittee's name to appear on permit premises

The name of the permittee or, in the case of permanent substitution, the name of the substitute permittee shall appear at all times on a sign adjacent to the main entrance to the permit premises in such a manner as to be plainly visible from the sidewalk or street adjacent thereto.

(Effective January 26, 1973)

Sec. 30-6-A12a. Notification of trade name change

The permittee, backer, or his agent shall notify the department of any changes in trade name within thirty days of its adoption or change.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-A13. Repealed, October 1, 2001.

Sec. 30-6-A14. Repealed, September 30, 1983.

Sec. 30-6-A15. Repealed, October 1, 2001.

permit for alcoholic liquors, military permit, airline permit, temporary liquor permit, or temporary beer permit shall be accompanied by one photograph of the exterior of the proposed premises. The photograph shall be eight inches by ten inches in size.
(Effective November 3, 1978; Amended October 1, 2001)

Sec. 30-6-A17. Storage

(a) Each permittee, except the holder of an out-of-state shipper, package store, caterer transporter, or temporary permit, shall provide and maintain on the premises described in and covered by his permit an adequate and a safe and secure place of storage for alcoholic liquor, under lock and key and accessible only to the permittee and his responsible agents, such place of storage being the only location where alcoholic beverages are to be delivered by a wholesaler. This place of storage shall be subject to the approval and inspection of the department. The department may, upon written request and justification therefor, permit the storage of liquor under the aforesaid conditions, elsewhere under the control of the permittee. Such request shall be accompanied by a sketch of the location of the proposed storage area and denoting the distance to the permit premises.

(b) Whenever there is a common or cooperative ownership of two or more retail liquor premises and the permittees transfer alcoholic beverages from one such retail premises to another, pursuant to the provisions of section 30-38a of the Connecticut General Statutes, such permittees shall, within thirty days thereafter, file with the department a list of the items so transferred.

(c) Storage of alcoholic liquor in places used as dwellings or in places of abode is prohibited, except in the case where the only permit held is a caterer permit, in which case it shall be at the usual place of business.

(d) Any storage of alcoholic liquors other than in a place approved by the department is a violation of this section.

(e) Any permittee desiring to store alcoholic liquors in the tax-free portion of any warehouse operating under a bonded warehouse storage permit shall make application to the department on forms prescribed therefor. No holder of a bonded warehouse storage permit shall accept for storage in a tax-free portion of the warehouse any alcoholic liquors from any permittee unless such permittee produces an application for warehouse free storage which has been approved by the department.

(Effective September 30, 1983; Amended October 1, 2001)

C

Employees

Secs. 30-6-A18 through 30-6-A20. Repealed, September 30, 1983.

D

Conduct of Business

Sec. 30-6-A21. Hours of sale

Whenever hours of time are set forth in the Liquor Control Act they shall be interpreted to mean clock time which shall be either eastern standard time or eastern daylight time, whichever one is then being observed. When eastern daylight time ends on a Sunday morning at two a.m. and clocks are turned back to one a.m. eastern standard time, no further sales, consumption or presence in glasses of alcoholic beverages shall be permitted.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-A22. Repealed, September 30, 1983.

Sec. 30-6-A23. Sanitation

(a) (1) Rooms used for the retail dispensing of alcoholic beverages shall be clean, well lighted and ventilated and free from flies and vermin. All plumbing shall be of a sanitary construction and kept in sanitary condition. (2) Premises which are licensed for consumption on the premises shall be provided with separate and adequate toilet facilities which shall bear suitable signs. The department may, in its discretion, waive the requirement for separate facilities in cases of hardship. Upon a showing of changed conditions, the department may revoke the waiver after due notice and an opportunity for a hearing has been provided. Toilet rooms shall be adequately lighted, ventilated, and screened to exclude flies. Toilet bowls, sinks and other toilet fixtures shall be kept in good repair and in a sanitary condition. Single service towels or suitable hand drying units and soap or other suitable cleansing agents shall be provided. (3) The bar shall be clean and in good repair and shall contain a suitable sink and drain board to which shall be piped an adequate supply of hot and cold running water. All beverage pipe lines shall be kept clean. (4) Air intakes for pressure dispensing systems shall be to pure air supplies. (5) There shall be an adequate supply of clean drinking receptacles available at the bar at all times. Utensils, dishes and drinking glasses shall be clean before each use. (6) All foods in storage or on display shall be either wrapped or stored in clean, closed containers. (7) Operators and employees of such alcoholic beverage dispensing places shall have clean hands and wear clean clothing while engaged in dispensing such beverages and shall be free from communicable diseases.

(b) Beer or wine pipe lines and barrel tubes used for the dispensing of alcoholic beverages in places where such dispensing is carried on shall be cleaned at least once each week, by the use of hydraulic pressure mechanism, hand pump suction or a force cleaner or other system approved by the department, or shall be permanently kept clean by a device approved by said department. After cleaning, the lines shall be rinsed with clear water until all chemicals, if any have been used, have been removed.

(c) Beer or wine shall not be caused or permitted to flow through copper or lead tubing unless such copper or lead tubing is isolated so that the beer or wine does not come in direct contact with the copper or lead.

(d) Beer or wine may be charged with gas by any of the following methods: By the use of carbon dioxide, nitrogen or carbonic gas, or by the use of electrical, hydraulic or mechanical pumps. If pumps are used, the intake for such pumps shall be taken from the outside of the building where fresh and clean air is available, and such intake shall be protected by a suitable filter or filters.

(e) A record card shall be used to record the dates of the cleaning of beer or wine pipe lines, coils, tubes and appurtenances. Said card shall be signed by the person who performs the cleaning operation and countersigned by the permittee. Such cards shall be kept upon the permit premises for a period of one year from the date of the last entry and shall be available at all times for inspection by an agent of the department and by the local health enforcement officers.

(f) On permit premises which are allowed to utilize bulk containers or dispensers for wine, such bulk containers or dispensers shall contain only such wine that has been poured from the original sealed containers. The remaining contents of any unit of wine previously delivered to a customer shall not be reused or resold.

(Effective April 16, 1991; Amended October 1, 2001)

Sec. 30-6-A23a. Fire safety

(a) No permit premises shall be operated in violation of the fire safety code or other rules and regulations of the state or local fire marshal.

(b) Where the local fire marshal ascertains there exists a serious violation of the fire safety code, and where the fire marshal notifies the permittee or backer of such violation, and where the permittee fails to abate such hazard or remedy such condition within a reasonable period of time as specified by the local fire marshal, and the department finds that the public health, safety or welfare requires emergency action, the permit of such premises may be suspended immediately, pursuant to section 4-182(c) of the Connecticut General Statutes, and such suspension shall remain in effect until the condition is corrected or a hearing held before the department.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A24. Conduct of permit premises

(a) No disturbances, brawls, unlawful conduct or gambling of any kind except where provided by the general statutes, and no slot machines or gambling devices which may be used for the purpose of securing money or any other valuable things, shall be permitted or suffered upon any permit premises, nor shall such premises be conducted in such a manner as to constitute a nuisance.

(b) No person shall be employed or otherwise used on permit premises while such person is unclothed or in such attire, costume or clothing as to expose to view any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. No person on the permit premises over whom the permittee can reasonably exert control, shall be permitted to touch, caress or fondle the breasts, buttocks, anus or genitals of any other person, nor shall any person or employee be permitted to wear or use any device or covering, exposed to view, which simulates the breast, genitals, anus, pubic hair or any portion thereof.

(c) No entertainment shall be performed on any bar. No entertainer, dancer, or other person shall perform acts of or acts which simulate: sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; the touching, caressing or fondling of the breasts, buttocks, anus or genitals; the displaying of any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals. No permittee shall permit any person or entertainer to remain in or upon the permit premises who exposes to public view any portion of the pubic hair, anus cleft of the buttocks, vulva or genitals. Entertainers shall perform only in fixed locations approved by the department. Entertainers may not mingle with the patrons. However, the prohibition contained in the last sentence may be waived by the department upon written request indicating the desirability and necessity for entertainers to mingle with the patrons.

(d) No minor, except if legally emancipated, shall be employed as a dancer on any permit premises unless his or her parent or legal guardian has signified consent thereto, in a notarized statement which shall be kept upon the permit premises.

(e) The showing of film, still pictures, electronic reproduction or other reproductions depicting the following shall be in violation of the Regulations of Connecticut State Agencies: acts or simulated acts of sexual intercourse, masturbation, sodomy, bestiality, oral copulation, flagellation or any sexual acts which are prohibited by law; any persons being touched, caressed or fondled on the breast, buttocks, anus or genitals; scenes wherein a person displays any portion of the female breast below the top of the areola or any portion of the pubic hair, anus, cleft of the buttocks, vulva or genitals; scenes wherein artificial devices or inanimate objects are employed to depict, or drawings are employed to portray, any of the prohibited activities described in the above.

(f) A permittee shall be held strictly accountable for the conduct of his permit premises.

(g) Age statement forms as required by section 30-86a of the Connecticut General Statutes must be obtained and a supply kept available on the premises.

(h) Repealed, September 30, 1983.
(Effective September 30, 1983; Amended October 1, 2001)

Sec. 30-6-A24a. Juice bars

(a) No permittee shall operate a juice bar or similar facility for the entertainment of minors at a permit premises unless the juice bar or facility is limited to the entire permit premises wherein there is no sale, consumption, dispensing or presence of alcoholic liquor on the date the premises is used as a juice bar or similar facility.

(b) The permittee shall notify local police in advance of the scheduled event that the premises will be used as a juice bar or similar facility for the entertainment of minors, specifying dates and hours.

(Effective May 2, 1985; Amended October 1, 2001)

Sec. 30-6-A24b. Restrictions on drink promotions

(a) Definitions. (1) The term —“drink” as used in this section means a unit of liquid containing alcoholic liquor customarily considered in the on-premises consumption retail alcoholic beverage trade as a single serving for one person including, but not limited to, a double, half-bottle, half-carafe and split. (2) The term —“private function” as used in this section means any gathering of persons for ceremony or entertainment or any other purpose provided such event shall not be open to the general public during the event and shall be restricted to invited guests.

(b) Restrictions. No permittee, backer, or employee or agent of same, at any on-premises consumption place of business, shall: (1) sell, offer, or deliver more than one drink to any one person for his/her own consumption at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed; (2) sell, offer or deliver drinks by the pitcher or other vessel containing more than one drink except to two or more persons, excluding minors as defined by the Liquor Control Act, at any one time. A second serving may be allowed only after the first serving has been substantially disposed of or consumed; (3) sell, offer or deliver to any person an unlimited number of drinks during any set period of time for a fixed price; (4) encourage or permit, on the licensed premises, any game or contest which involves drinking or the awarding of drinks as prizes.

(c) Private Functions and Hotel Guest Bars. The provisions of this section shall not apply to private functions held in a room or rooms at any on-premises consumption place of business or to hotel guest bars.

(d) Nothing in this section shall be construed as an exception to any other provision of the Liquor Control Act or Regulations of Connecticut State Agencies, especially those respecting hours and days of sale, the sale of alcoholic liquor to minors or intoxicated persons.

(Effective January 31, 1986, amended March 3, 1995; Amended October 1, 2001)

Sec. 30-6-A25. Repealed, May 3, 1966.

Sec. 30-6-A26. Repealed, January 26, 1973.

Sec. 30-6-A27. Records of liquor purchases and sales

(a) No retail permittee shall purchase or accept any shipment of alcoholic liquors for delivery from any wholesaler or manufacturer permittee, unless there shall accompany such purchase or shipment an invoice setting forth the number of cases or fraction thereof of each brand, the size of the containers, the price thereof and the name of the seller.

(b) Every holder of a manufacturer or wholesaler permit shall maintain a complete record of each sale of alcoholic liquors made by him, which shall include the number of cases

or fractions thereof, the size of the containers of each brand, the price thereof, the name of the purchaser and a true and accurate statement of the terms and conditions on which such sale is made and, in addition thereto, shall simultaneously furnish to the purchaser, with each shipment for delivery, an invoice setting forth in detail the information set forth above. Any terms and conditions of the sale not stated on such invoice shall constitute a violation. Such records shall be maintained in ledger sheet or similar form so as to present readily a chronological account of the dealings of such manufacturer or wholesaler with each vendee.

(c) No wholesaler shall deliver, and no permittee shall receive, any merchandise unless upon receipt of such merchandise from a wholesaler permittee, the retailer affixes by rubber stamp or signs the invoice with information containing the trade name of the retailer, the name of the permittee and the signature or initials of the recipient of the merchandise.

(d) All invoices and records referred to in the foregoing subsections of this regulation shall be maintained on the permit premises, or at such other location as the department may in writing authorize, for at least two years from the date of the transactions recorded thereby, and shall be available for inspection and copying by agents of the department at any time during business hours.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-A28. Vending machines prohibited and automatic bar equipment controlled

(a) No automatic coin operated mechanism shall be used on any permit premises to dispense alcoholic beverages to a consumer.

(b) No automatic bar equipment shall be used on any permit premises without the approval of the department. The source of alcoholic beverages in an automatic system shall be arranged so as to readily permit inspection. All spigots in the system shall be accurately labeled.

(c) No self-service system, whereby a patron may serve his own alcoholic liquor, shall be used on any permit premises except as permitted under hotel guest bar permits.

(Effective June 24, 1980, amended March 3, 1995)

Sec. 30-6-A29. Inducements to purchase; tie-in sales; solicitation

(a) No permittee in transactions with another permittee shall directly or indirectly offer, furnish, solicit or receive any free goods, discounts, gratuities, gifts, prizes, coupons, premiums, combination items, quantity prices, cash returns, loans, guarantees, inducements or special prices, or other inducements with the sale of alcoholic liquors.

(b) No permittee shall require any purchaser to accept additional liquors in order to make a purchase of any particular desired item.

(c) No direct consumer solicitation, in person or by mail, shall be directly or indirectly engaged in by any distiller, out-of-state shipper, manufacturer or wholesaler.

(d) No out-of-state shipper, manufacturer or wholesaler shall expend moneys directly or indirectly for the purpose of sales promotion and advertising and thereby give a rebate, kickback or discount by means of returning to permittees or proprietors a percentage of the total cost of merchandise purchased from such wholesaler in the nature of free drinks, sampling, advertising and other types of sales promotion.

(e) These provisions shall apply to transactions between all types of permittees, and are intended to prevent artificial stimulation of sales of liquor by any means.

(f) Notwithstanding any provisions of this section to the contrary, an out-of-state shipper or manufacturer licensee may offer to wholesaler licensees funds to be used for product promotion as permitted by federal law and in accordance with the following: (1) There shall be no restrictions or obligations on the use of such funds, except that such funds shall be used for promotion of the product(s) identified; (2) Funds shall be offered without

discrimination in any manner among wholesalers authorized to distribute the products to be promoted, except that funds may be pro-rated among such wholesalers based upon population of their authorized geographic territory for the product(s) involved, as determined by the most recently completed decennial census; or based upon any other formula not prohibited by section 30-63 or 30-94 of the Connecticut General Statutes; (3) Out-of-state shippers and manufacturers shall file with the department, at least thirty days before the distribution of funds, written notice listing the following: (A) The total amount of funds to be distributed and the proposed date of distribution; (B) The product(s) to be promoted and the wholesalers authorized to distribute such products; (C) If funds are distributed based on population served, the population in the geographic territories of each wholesaler, and the eligible share of funds expressed as a percentage; If any other formula is used, a detailed exposition of such formula used; and (E) The amount of promotional funds each is to receive. (Effective February 9, 1989; Amended October 1, 2001)

Sec. 30-6-A30. Repealed, November 24, 1964.

Sec. 30-6-A30a. Advertising. Mandatory statements

(a) Application. No person engaged in business as a producer, manufacturer, bottler, importer, wholesaler or retailer of alcoholic liquor, directly or indirectly, or through an affiliate, shall publish or disseminate or cause to be published or disseminated in any newspaper, magazine or similar publication any advertisement of alcoholic liquor, unless such advertisement is in conformity with this section and section 30-6-A31a of the Regulations of Connecticut State Agencies; provided said sections shall not apply to the publisher of any newspaper, magazine or similar publication, unless such publisher is engaged in business as a producer, manufacturer, bottler, importer, wholesaler or retailer of alcoholic liquor, directly or indirectly, or through an affiliate.

(b) Definitions. As used in this section and section 30-6-A31a of the Regulations of Connecticut State Agencies, "advertisement" includes any advertisement of alcoholic liquor through the medium of newspapers, magazines or similar publications, except that such term shall not include: (1) Any label affixed to any containers of alcoholic liquor or any individual covering, carton or other wrapper of such container; (2) any editorial or other reading matter in any periodical or publication or newspaper for the preparation or publication of which no money or other valuable consideration is paid or promised, directly or indirectly, by any person subject to said sections, and "person" means any individual, partnership, joint-stock company, business trust, association, corporation or other form of business enterprise, including a receiver, trustee or liquidating agent.

(c) Mandatory statements. (1) Responsible advertiser. The advertisement shall state the name and address of the producer, manufacturer, bottler, importer, wholesaler or retailer responsible for its publication. Street name and number may be omitted in the address. (2) Class, type and distinctive designation. The advertisement shall contain a conspicuous statement of the class and type, or other designation, of the product, corresponding with the complete designation which appears on the brand label of the product. (3) Alcoholic content. The alcoholic content shall be stated in the manner and form in which it appears on the labels of alcoholic liquor, other than beer and wine, advertised. (4) Percentage of neutral spirits and name of commodity. In the case of alcoholic liquor, other than beer and wine (not including cordials, liqueurs, and specialties), produced by blending or rectification, if neutral spirits have been used in the production thereof, there shall be stated in the advertisement the percentage of neutral spirits so used and the name of the commodity from which such neutral spirits have been distilled in substantially the manner and form in which these statements appear on the labels of the alcoholic liquor advertised. In the case of neutral spirits or of gin produced by a process of continuous distillation, there shall be stated

in the advertisement the name of the commodity from which such neutral spirits or gin has been distilled substantially in the manner and form in which this statement appears on the labels of the alcoholic liquor advertised. (5) "Line" or "brand" advertisements. Where an advertisement does not mention a specific product but merely refers to a class of alcoholic liquor, other than beer or wine, such as "whiskey," and the advertiser markets more than one brand of alcoholic liquor of that class, or where the advertisement refers to several classes of alcoholic liquor, other than beer or wine, such as "whiskey," "brandy," "rum," "gin," "liqueur," etc., marketed under a single brand, the only mandatory information prescribed by this subsection applicable to such advertisement is the name and address of the responsible advertiser. (6) Retail establishments. Advertisements by retail establishments which merely refer to the availability of alcoholic liquor in such establishments but which otherwise make no reference to a specific brand of alcoholic liquor shall be subject only to the provisions of section 30-6-A31a of the Regulations of Connecticut State Agencies.

(d) Lettering. Statements required by this section to be stated in any written, printed or graphic advertisement shall appear in lettering or type of a size, kind and color sufficient to render them both conspicuous and readily legible. In particular: (1) Required information shall be stated against a contrasting background and in type or lettering which is at least the equivalent of eight-point type; (2) required information shall be so stated as to appear to be a part of the advertisement and shall not be separated in any manner from the remainder of the advertisement; (3) where an advertisement relates to more than one product, the required information shall appear in such manner as to clearly indicate the particular products to which it is applicable; (4) required information shall not be buried or concealed in unrequired descriptive matter or decorative designs. (Effective November 24, 1964; Amended October 1, 2001)

Sec. 30-6-A31. Repealed, November 24, 1964.

Sec. 30-6-A31a. Prohibited statements and illustrations

(a) Restrictions. An advertisement of alcoholic liquor shall not contain: (1) Any statement that is false or misleading in any material particular or is otherwise in violation of the Connecticut Unfair Trade Practices Act, Sec. 42-110b et seq., of the Connecticut General Statutes; (2) any statement that is disparaging of a competitor's products; (3) any statement, design, device or representation which is obscene or indecent; (4) any statement, picture or illustration referring to Easter, Holy Week, Mother's Day or "Santa Claus," including names synonymous with "Santa Claus," or the name of or any reference to or depiction of any biblical character, provided nothing herein shall operate to prohibit references to the Christmas holiday season if such references do not include statements, pictures or illustrations on strictly religious themes; (5) any statement, picture or illustration implying that the consumption of alcoholic liquor enhances athletic prowess, or any statement, picture or illustration referring to any known athlete, if such statement, picture or illustration implies, or if the reader may reasonably infer, that the use of alcoholic liquor contributed to such known athlete's athletic achievements; (6) any scene in which is portrayed a child or objects, such as toys, suggestive of the presence of a child or which in any manner portrays the likeness of a child or contains the use of figures or symbols which are customarily associated with children; (7) any offer of a prize or award to a consumer upon the completion of any contest in which there is a requirement to purchase the advertised product; provided no advertisement for alcoholic liquor shall promote a game of chance or a lottery; or (8) With regard to any advertisement for wine, any statement, design, device or representation which relates to alcoholic content or which tends to create the impression that a wine is either "unfortified" or "fortified," or has intoxicating qualities, or contains spirits.

(b) Cooperative advertising. There shall be no cooperative advertising as between a producer, manufacturer, bottler, importer or wholesaler and a retailer of alcoholic liquor.

(c) Repealed, October 28, 1977.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A32. Repealed, February 10, 1970.

Sec. 30-6-A32a. Furnishing services, advertising material or equipment to retailer

No brand owner, manufacturer, out-of-state shipper or wholesaler may furnish any retailer with services, advertising material or equipment except as follows, and, with respect to alcohol, spirits and wine, if allowed by federal law:

(a) Inside advertising material, including window displays, which has no intrinsic or utilitarian value other than point-of-sale advertising, whose aggregate cost shall not exceed five hundred dollars per retail outlet per calendar year per brand, exclusive of installation cost;

(b) Advertising novelties and specialties for use on the retail premises, such as trays, coasters, napkins, stirrers, scrapers and scraper holders, menu sheets and menu covers, change mats, calendars and pourers displaying brand names, whose aggregate cost shall not exceed five hundred dollars per distributor of such items per retail outlet per calendar year; wine lists may be distributed without cost limitation, such lists may contain listings from different brand owners, manufacturers, out-of-state shippers and wholesalers at the discretion of the retailer.

(c) Consumer novelties of nominal value for unconditional distribution to patrons of retail outlets, whose aggregate cost shall not exceed five hundred dollars per distributor of such items per retail outlet per calendar year.

(d) Manufacturers and wholesalers may clean and repair beer lines between barrels and faucets in retail premises and may furnish tapping accessories (such as rods, tap, hose and pressure regulators), provided the aggregate cost or reasonable value of any services rendered and any material used in connection with the cleaning and repairing of coils and the tapping accessories furnished shall not exceed five hundred dollars for each permit premises in any one permit year.

(e) Upon written submission to and approval by the department, brand owners or their licensees in this state may display in retail premises items other than alcoholic liquors which patrons may order by order forms available in such premises, provided no retailer shall stock or deliver such items or incur any cost in connection therewith, and provided the patron shall not be required to make any purchase on the premises in connection therewith. Such items shall be limited to products and any other items considered dealer loaders costing the supplier less than one hundred dollars per display. Nothing herein shall be construed as an exception from any other provisions of the Liquor Control Act or Regulations of Connecticut State Agencies.

(f) No brand owner, manufacturer, out-of-state shipper, wholesaler, or salesman for any such entity shall display, stock, rotate or affix the price to alcoholic liquor products for their retail off-premises consumption place of business customers, except as permitted by this section. A brand owner, manufacturer, out-of state shipper, wholesaler, or salesman for any such entity may perform the following for its retail customers allowed hereunder for their own products only: (1) The one-time stocking of shelves in the sales area only at any newly licensed retail off-premises consumption place of business or any premises that has recently had a change in the control of ownership, is permitted for all products; (2) The setting-up, building and maintenance of displays and point-of-sales advertisements is permitted for all products; (3) The rotating of all perishable products is permitted provided that rotating consists of moving stock from rear to front on the shelves in the sales area only, and does not include the

stocking or cleaning of shelves and other similar services on shelves in the sales area or any other area; (4) The affixing of prices on point of sale material, as established by the retailer, is permitted for all products; (5) The maintaining of floor displays by the addition of a full case or cases, whether cut or uncut, that does not include the stocking or cleaning of shelves; and (6) The maintaining of cold boxes and display refrigerators by the addition of single bottles or wine and spirits, cordials, or beer. Any brand owner, manufacturer, out-of-state shipper, wholesaler, or salesman for any such entity who elects to provide any of the aforementioned services shall do so only with the permission of the retailer involved, and shall provide the same service to all their retail customers without discrimination. Any permittee or salesman who knowingly provides or receives services in violation of this section shall be subject to license revocation or suspension.

(Effective April 16, 1991; Amended October 1, 2001)

Sec. 30-6-A33. Free samples of liquor

(a) The furnishing of free samples of liquor is prohibited unless allowed by section 30-20 of the Connecticut General Statutes or section 30-6-B21a of the Regulations of Connecticut State Agencies or unless permission is secured from the department under this section, and such permission shall only be secured under this section where a new brand of liquor is introduced and where the sample or bottle of liquor is clearly marked "free sample" and where samples are given to permittees or employees or agents of permittees who are authorized to purchase alcoholic beverages of the kind given as samples. Such samples shall not exceed in quantity the following: distilled spirits, not more than 200 ml.; wine, not more than 1.00 liter; beer, not more than 16 ounces in bottles or cans. Only one sample of each grade, type, or quality shall be given at any one time.

(b) Any wholesaler, out-of-state shipper, or manufacturer may furnish to a retail permittee or backer free samples of alcoholic liquor in connection with a tasting conducted in accordance with Section 30-6-B21 of the Regulations of Connecticut State Agencies, provided: (1) the samples are for an alcoholic product that the retail permittee has not sold within the previous twelve months; (2) the samples shall be provided to a permittee or backer, or an employee or agent of the permittee or backer who is authorized to purchase alcoholic beverages of the kind given as samples; and (3) the samples shall not exceed a single container of three liters.

(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-A34. Repealed, February 10, 1970.

Sec. 30-6-A35. Labels, labeling and registration of brands

(a) No alcoholic beverage shall be imported into the state or manufactured and sold within the state or included in any price list required to be filed with the department until the label of such brand has received the approval of the department.

(b) No label will be approved until the label is submitted, along with the appropriate form and fee to the department: nor until a list of brands with corresponding numeric brand code numbers to be imported or sold within the state has been submitted to the department, such list to be compiled on a form provided by the department.

(c) The department may require, before approval of any brand label, that a complete analysis of the alcoholic beverages for which labels have been offered be submitted. A brand label once approved shall not require reapproval unless such approval has been revoked or unless there is a change in the contents of the container as originally approved or a change in the descriptive phraseology on the label. The department may waive the requirement of a reapproval if the label change consists only of a new coloring, shading or label format.

(d) The department shall withhold approval of any brand label if it has reasonable cause to believe that the language, wording or design phraseology contained in the front label exaggerates the quality or age of the alcoholic beverage for which the label has been submitted, or belies its true contents, or may in any manner tend to deceive the purchaser as to the real nature of such alcoholic beverage.

(e) Repealed, December 5, 1967.

(f) In selling any item requiring a special label, this requirement shall be made known to the purchaser at the time of solicitation of sale. When the sample bottle is shown, the label shall be on the bottle. If no sample is shown, it should be made known to the purchaser that a label goes on the bottle.

(g) No on-premises consumption permittee shall sell, offer for sale, display, serve or dispense or mix in any drink any of the "liqueurs," "types," "imitation types" or substandard whiskeys described in this regulation as a substitute for whiskey when the original form of such whiskey is called for. No on-premises consumption permittee shall sell, offer for sale, serve, dispense or mix in any drink any substitute when a named alcoholic liquor is ordered or asked for. The presence on any permit premises of any container of liquor, the contents of which are at variance with the federal or state label thereon, shall be prima facie evidence of refilling.

(h) No off-premises consumption permittee shall sell, offer for sale or display any of the "liqueurs," "type," "imitation type" or substandard whiskeys described in this regulation when the original form of such whiskey is called for.

(i) The permit of any permittee who violates any of the provisions of this section shall be subject to revocation or suspension.

(j) Regulations of the federal alcohol administration currently in effect relating to labeling of distilled spirits, wine and malt beverages packaged for shipments in interstate or foreign commerce not inconsistent with this section are made a part hereof as though fully set forth and are hereby promulgated with respect to the state of Connecticut. The aforesaid regulations shall apply to distilled spirits, wine and malt beverages packaged purely for intrastate shipment within Connecticut to the same extent as though intended for interstate or foreign shipment.

(k) No private labels will be approved for registration unless the registrant when requesting such approval furnishes the department with the name and address of the retailer who will sell such brand. Any labels submitted for registration without such accompanying information shall be considered to be for general distribution.

(l) Where a liqueur or cordial label is submitted for registration having the same or similar format, coloring, design or brand name as a label for a previously approved brand of alcoholic liquor not a cordial or liqueur, or wherever the word "liqueur" is used on a front label, a special label shall be affixed to the front of each container or bottle shipped into or offered for sale in the state of Connecticut, either by the bottle, container or drink. The special label shall contain the wording "Not A Whiskey," "Not A Gin," or any other wording the department may deem necessary to clearly designate that such brand is, in fact, a cordial or liqueur. On all labels to be attached to containers of twenty-six or thirty-two ounce or 750 ml. capacity or larger, these words shall be printed in thirty-six point bookman style type; on pint or 500 ml. and half-pint or 200 ml. containers, twenty-four point bookman style type; on containers of less than one half-pint or less than 200 ml., twelve point bookman style type; printed in black type on yellow paper. Such labels shall be affixed to the face of the container, either below or above the regular label, where the entire special label can be most easily read when viewing the face of the bottle, this subsection shall not apply (1) where the word "liqueur" is used on the front label as a designation of quality or (2) where the word "liqueur" is used in conjunction with the word "scotch" or precedes the word "rum" or "brandy."

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-A36. Period of credit

(a) The period of credit shall be calculated as the time elapsing between the date of receipt of the merchandise by the purchaser and the date of full legal discharge of the purchaser through the payment of cash or its equivalent from all indebtedness arising from the transaction. The period of delinquency will begin at midnight of the thirty-first day after the date of delivery, provided if such thirty-first day falls on a Saturday, Sunday or legal holiday, the next business day shall be deemed the first day of delinquency. Pledges, notes and postdated checks shall not be considered as the equivalent of cash, nor shall the practice of issuing credit memoranda for the purpose of circumventing the credit statute or regulation be permitted. The issuance of an insufficient check shall not be considered as a full legal discharge of a purchaser's obligation.

(b) No wholesaler shall provide credit to a permittee while under a provisional permit, unless otherwise approved by the department.
(Effective July 11, 1979; Amended October 1, 2001)

Sec. 30-6-A37. Repealed, September 30, 1983.

Sec. 30-6-A37a. Refusal to extend credit

The holder of a manufacturer or wholesaler permit shall refuse to extend credit to the holder of a retail permit when the retail permittee and/or backer has a delinquent account with that wholesaler that has been unpaid for a period in excess of 30 days.
(Effective September 30, 1983)

Sec. 30-6-A38. Repealed, October 1, 2001.

Sec. 30-6-A39. Marking of taps, faucets, or other draughting devices

No person or corporation operating under an on-premises permit, selling draught beer from any labeled or branded tap, faucet or other draughting device, shall draw therefrom any other beer than that designated thereon.
(Effective May 29, 1975; Amended October 1, 2001)

Sec. 30-6-A40. Minimum consumer resale prices

(a) Prohibited sales. No out-of-state shipper, manufacturer or wholesaler may include in any schedule of minimum consumer resale prices any brand of alcoholic liquor unless he is the owner of such brand or, in the case of the wholesaler, has been appointed exclusive agent, in writing, by the brand owner for the purpose of filing such schedule or has obtained written permission of the department to schedule a price for such brand. A wholesaler filing as an agent of an unlicensed brand owner may make no sales of such brand of alcoholic liquor to off-premises retailers until such wholesaler has filed with the department a letter from the brand owner in duplicate. Such authorization shall be on the letterhead of the brand owner and contain: (1) A statement that the person or firm executing such authorization is the actual owner of the brand; (2) a statement that as such brand owner the person or firm executing such authorization is appointing the particular wholesaler exclusive agent for the purpose of filing a schedule of minimum consumer resale prices for such brand pursuant to section 30-64 of the Connecticut General Statutes. No authorization will be accepted if the brand owner has previously appointed an exclusive agent for a particular brand unless such new authorization specifically revokes the authorization granted the previous agent.

(b) Permissive sales. The department, at its discretion, may grant to an off-premises retailer permission to sell at a price less than the minimum consumer resale price

listed in any schedule for the following reasons: (1) Where the licensee is actually and in good faith closing out his stock of a brand of alcoholic liquor for the purpose of discontinuing the sale of such brand, provided the stock of such brand shall have been in the possession of such licensee for not less than six months from the date of the last purchase of such brand and the entire stock of such brand shall first be offered by registered mail at the original invoice price to the manufacturer or wholesaler who filed the schedule for such brand, or any wholesaler authorized on the wholesale price schedule to sell such brand, at least fifteen days before request for permission to make such sale is made to the department. (2) Where the brand of alcoholic liquor is damaged or deteriorated in quality and notice is given to the public thereof, provided the entire stock of such brand shall first be offered by registered mail to the manufacturer or wholesaler from whom purchased at least fifteen days before request for permission to make such sale is made to the department. For the purpose of this subdivision, label changes, based on the change in the formula or age of base whiskey or percentages of whiskey or neutral spirits or types of neutral spirits, shall not constitute such a label a different brand. A retailer who "closes out" or returns a brand of liquor pursuant to subdivision (1) may not purchase such brand for a period of twelve months after the date of return or sale of such brand, even though the brand, when offered for sale to the retailer, contains a different formula, base whiskies having different ages, different percentages of whiskey or neutral spirits or different types of spirits. Wines bearing labels of the same brand but of different types (such as port, sherry or muscatel) or of different vintage years are different items, provided such types or years shall appear on the labels affixed to the containers. A retailer who "closes out" or returns a brand of wine of any type or any vintage year may not purchase such type or such vintage year of such brand for a period of twelve months after the disposal of the last container thereof, but is not prohibited from purchasing during the twelve-month period other types of such brand or other vintage years of such brand.

(c) Returns. No merchandise shall be accepted for return from a retailer by a manufacturer or wholesaler except under court order, with the approval of the department for good cause shown, or as permitted by this section. Written application containing an inventory of the merchandise to be returned shall be submitted to the department by both the retailer and manufacturer or wholesaler concerned. A manufacturer or wholesaler may accept merchandise for return without prior approval from the department when at the time of delivery to the retailer, the merchandise or its container is damaged or the merchandise is contaminated or tainted. A manufacturer or wholesaler who accepts the return of such merchandise shall keep an accounting of the merchandise accepted that shall identify the retailer who returned such merchandise and the date that upon which it was returned.

(d) Discontinued brands. Any brand on which no minimum consumer resale price can be posted because the owner of the brand discontinued business may be listed by a wholesaler under the heading "Discontinued Brands." Retailers may purchase and sell as a "close out" only any brand of alcoholic liquor which is listed as a "discontinued brand." Any wholesaler desiring to list an item as a "discontinued brand" shall submit a request setting forth the facts concerning such brand and obtain the written approval of the department for such listing.

(e) Licensee not to absorb sales tax or container price. Where a retail sales tax has been imposed pursuant to law, such tax may not be absorbed by the licensee but shall be added to the minimum consumer resale price of any brand of alcoholic liquor which is sold; nor shall such licensee absorb the container price in respect to any malt beverage.

(f) Gifts and novelties to consumer. No off-premises retail permittee shall, directly or indirectly, offer, furnish, deliver or give away any free goods, gratuities, gifts, prizes, coupons, premiums, or other articles or things of value, to any consumer. Calendars and recipe books, having an individual cost to the retailer of not more than five dollars, and match books which can be considered advertising media, do not come within the scope of this regulation.

Recipe books may be furnished to a retailer by manufacturers and wholesalers for distribution by the retailer.

(g) Advertising. No licensee shall advertise any price for an assortment of different brands or types of alcoholic liquors contained in one unit, unless the price for each individual item is stated individually and separately in such advertising. Nor shall any licensee advertise the price of any alcoholic beverage unless such advertisement contains the brand name of the item and the container size.

(h) Notice to permittees. Notice of all out-of-state shipper, manufacturer or wholesaler minimum consumer resale prices shall be given by the out-of-state shipper, manufacturer or wholesaler permittee to permittee purchasers, either by direct mail or advertising in a trade publication having a circulation among the retail permittees. When the out-of-state shipper, manufacturer or wholesaler notifies the retail permittee by direct mail rather than by advertising in a trade publication, he shall, on or before the effective date of such prices, submit an affidavit to the effect that he has so notified such retailer.

(i) Displaying prices. Each retail licensee shall display on the shelf immediately beneath the merchandise offered for sale, in a conspicuous manner and legible to the public, the price of each container of alcoholic beverage, except malt beverages. The retail prices of all malt beverages shall be posted in a conspicuous place on the permit premises, legible to the public, setting forth the unit and case price.

(Effective June 2, 1987; Amended October 1, 2001)

Sec. 30-6-A41. Restrictions on sales and purchases by permittees; donations

(a) No permittee shall solicit or take from or give orders for alcoholic liquor to, or buy or receive from or sell or deliver alcoholic liquor to, any person or business entity with whom his permit does not empower him to deal. No permittee shall allow the use of his permit so as to aid or abet the commission of such transactions. The permit of any permittee violating the provisions of this regulation shall be liable to suspension or revocation.

(b) Notwithstanding the provisions of this section or any other section of these regulations to the contrary, any permittee may donate alcoholic liquor to any bona fide non-profit or charitable organization to benefit and support such organization, provided prior notice of any such donations is given to the department.

(Effective July 25, 1989; Amended October 1, 2001)

Sec. 30-6a-A42. Photographic equipment and format of photograph for a person whose age is in question.

A permittee or agent or employee of a permittee may present a photograph of a person whose age is in question, along with a photocopy of such person's driver's license or identity card, as an affirmative defense to a prosecution for selling alcoholic liquor to a minor in violation of subsection (b) of section 30-86 of the Connecticut General Statutes, only when all the following requirements are met:

(1) The photograph shall:

(A) Be taken with a digital camera or film-camera that has a built-in date and time stamp in working condition;

(B) have a date and time stamp as part of the actual photograph and the date and time stamp shall be accurate and true;

(C) be in color;

(D) be taken with the person holding the driver's license or identity card provided to the permittee or the permittee's agent or employee as proof of age;

(E) be 5 by 7 inches in size;

(F) be a clear and actual depiction of the way the person presented themselves at the time the person provided proof of age; and

(G) be in a format, or be taken against a background, that accurately depicts the height of the person being photographed.

(2) The photocopy of the person's driver's license or identity card shall:

(A) Be placed on a piece of paper 8 ½ by 11 inches, depicting the license or card as 5 by 7 inches in size;

(B) depict the front and back of such driver's license or identity card;

(C) be clear and easily readable, including all identification letters and numbers;

(D) provide the actual dimensions of the length and width of the person's driver's license or identity card; and

(E) contain the printed name and signature of the permittee, agent or employee who took the photograph and photocopy, and an attestation that the same person examined the front and the back of such driver's license or identity card.

Part II: Regulations of Specific Permits

A

Out-of-state Shipper Permits

Sec. 30-6-B1. Sales to permittees

Every holder of an out-of-state shipper's permit shall sell only to a manufacturer or wholesaler in good standing within the state. No bottled goods shall be shipped into the state by an out-of-state shipper until the brand has been registered and the distributor nominated as required by section 30-63 of the Connecticut General Statutes.

Sec. 30-6-B2. Record of sales and purchases

(a) Every holder of an out-of-state shipper's permit shall maintain a separate and complete record of all sales and shipments to each permittee in the state of Connecticut, which record shall be maintained in a ledger sheet or similar form so as to present readily a chronological account of its dealings with each such permittee. Such record shall contain the number of cases of each brand, the size of the containers, the price thereof and the name of the vendee and a true and accurate statement of the terms and conditions of such sales. The out-of-state shipper shall furnish for each sale an invoice setting forth the same information. Failure to state any terms and conditions on such records and invoices shall make the out-of-state shipper and its vendee liable to the suspension or revocation of its or his permit.

(b) Such records and copies of such invoices shall be maintained at the place of business shown on the permit of the out-of-state shipper, or at such other place as is allowed in writing by the department, for a period of two years from the date of the transactions recorded thereby, and shall be available for inspection and copying by agents of the department at any time during business hours.

(c) Out-of-state shippers, on a monthly basis, shall maintain and have available a record of sales and shipments of spirits to wholesalers which occurred during the previous month. Such record shall contain the number of cases of each brand, the size of the containers, and the name of the vendee. Every holder of a manufacturer or wholesaler permit shall maintain a complete monthly record of all purchases made and shipments received by him of all alcoholic liquors, which shall include the number of cases, with inclusive serial numbers, from whom received, the type and brand name, the price and the date of delivery thereof. Such records shall be maintained at all times on the permit premises and be made available to the department or its agents upon request. Any refusal of a permittee or his duly authorized agent to permit examination of the records, upon request, by an agent of the department shall be in

violation of this section. The department shall hold permittees strictly accountable for such records.

(Effective May 27, 1988; Amended October 1, 2001)

Sec. 30-6-B3. Repealed, May 3, 1966.

Sec. 30-6-B4. Out-of-state shipper price lists to be filed

(a) Every out-of-state shipper permittee shall, annually on or before the sixth day of January, file with the department, on forms prescribed by the department, a complete schedule, with each page of such schedule numbered in numerical order, duly verified by the permittee and attested by the backer, if an individual, or if the backer is a corporation, by an officer of such corporation, of all alcoholic liquors offered for sale in Connecticut, which shall contain with respect to each item: (1) The type of beverage and brand name; (2) the size of the container; (3) the age or per cent and type of neutral spirits; (4) the proof; (5) the number of bottles per case; (6) the bottle and case price. The following information shall be submitted by out-of-state shipper beer only permittees: (1) The type of beverage; (2) the size of the container (barrel, half-barrel, quarter-barrel); (3) the number and size of bottles per case; (4) the container price and case price. At the same time that these schedules are mailed to the department, a copy shall be forwarded to each wholesaler licensed by the department to distribute those products for which the schedule is intended.

(b) Except in the case of still wines and sparkling wines, the case price shall be individual for each item and not in combination with another item. Schedules on multiple packages of still wines and sparkling wines shall contain the bottle price for each item contained in the multiple package, the unit price, and the case price. The bottle price posted in such multiple package case must be the same as the bottle price posted in a case containing the one type and brand of wine. The price set forth therein shall become effective on the first day of the calendar month following the effective filing date thereof and, unless withdrawn or amended, shall be considered refiled and effective each month until the filing date of the next complete schedule. All items shall be bona fide offering of the items set forth in the list. Price changes and prices on new items may be filed on supplemental price schedules, which schedules shall be filed on the sixth day of any intervening month, and prices on such supplemental schedules shall become effective on the first day of the month following the effective filing date thereof. When filing supplemental price lists showing amended prices, one copy of the whole numbered page on which the original prices appeared shall be filed. One copy of such supplemental price list shall be filed, with a copy to the wholesaler licensed to distribute the product.

(c) Except in cases where an obvious typographical error has been made, no changes, corrections or additions will be considered after the effective filing date. The effective price on any item shall be the price posted on the latest schedule on file on which that particular item appears.

(d) No out-of-state shipper may ship, transport, sell or offer for sale in Connecticut any brand of alcoholic liquor which does not appear on his price schedule.

(e) A violation of any of the provisions of this section shall be punishable by suspension or revocation.

(Effective January 11, 1984; Amended effective October 1, 2001)

Sec. 30-6-B4a. Time of posting

(a) Price schedules filed on or before the sixth day of January pursuant to Section 30-6-B4 (a) of the Regulations of Connecticut State Agencies shall be deemed posted on the sixth day of January at 10:00 a.m. Eastern Standard Time. If the sixth day of January is a

Saturday, Sunday or legal holiday, price schedules shall be filed on the next business day and shall be deemed posted on such next business day at 10:00 a.m. Eastern Standard Time.

(b) In accordance with Section 30-6-B4 (c) of the Regulations of Connecticut State Agencies, such price schedule shall be deemed re-posted, unless a timely supplemental price schedule is filed, on the sixth day of each succeeding month at 10:00 a.m. Eastern Standard Time. If the sixth day of any succeeding month is a Saturday, Sunday or legal holiday, the price schedule shall be deemed re-posted at 10:00 a.m. Eastern Standard Time on the next business day.

(c) Supplemental price schedules filed on the sixth day of any month shall be deemed posted at 10:00 a.m. Eastern Standard Time on that day and re-posted on the sixth day of each succeeding month at 10:00 a.m. Eastern Standard Time. If the sixth day of any month is a Saturday, Sunday or legal holiday, such supplemental price schedule shall be filed on the next business day, and shall be deemed posted or re-posted, as the case may be, at 10:00 a.m. Eastern Standard Time, on such day.

(d) Any price schedule or supplemental price schedule filed late shall be ineffective for that month and shall be applicable for the next filing deadline. Any price schedule or supplemental price schedule filed early shall be applicable for the pending filing deadline.

(e) When a manufacturer or out-of-state shipper posts with the department a decrease in the price for the following month, such alcoholic liquor affected by the decrease may be shipped into the warehouse of the wholesaler ten days prior to the first day of the following month.

(Effective October 21, 1985; Amended August 30, 2000)

Sec. 30-6-B5. Records of salesmen's expenses, allowances, bonuses, etc.

Every out-of-state shipper permittee shall be required to keep a record, either weekly or monthly, of all salaries, wages, expenses, allowances, bonuses, cash disbursements and gratuities, either in the form of cash or things of value, paid to any of his employees, agents or salesmen representing him in the state of Connecticut. Such records shall be available for inspection by the agents of the commission at all times during business hours.

Sec. 30-6-B6. Copy of home state license to accompany application

Every application for an out-of-state shipper's permit shall be accompanied by a photostatic copy or by other documentary evidence of a permit or license issued by the state in which the applicant derives authority to manufacture, sell or distribute alcoholic liquors.

Sec. 30-6-B7. Consignments; return of goods; authorized distributors

No manufacturer, wholesaler or out-of-state shipper permittee shall sell alcoholic liquors on consignment, except to holders of temporary permits. No manufacturer, wholesaler or out-of-state shipper permittee shall take back any merchandise once sold, billed, shipped, delivered or received by any permittee unless such transaction has been approved by the department, or except in the case of a temporary permit provided such return is accomplished within thirty days of expiration of the permit. A full and complete explanation of all circumstances shall accompany any request to take back merchandise. Each manufacturer and out-of-state shipper permittee shall file with the department a list of his authorized distributors, setting forth the brands and also the exact geographical area in which the distributor or wholesaler shall be authorized to sell, and shall also file a certificate from the wholesaler to the effect that he is, in fact, servicing the area designated and no other area for the brand or brands for which he has been appointed as distributor. Where a wholesaler has held a distributorship for less than six months, no change on the list of authorized distributors or wholesalers of a manufacture or out-of-state shipper shall be made except after ninety days' notice by registered mail to all such authorized distributors or wholesalers affected by such change which appear on the list of the

particular manufacturer or out-of-state shipper as recorded in the office of the department of liquor control, and except after ninety days' like notice to and approval by the department. Such changes may be made without waiting the ninety days with the approval of the department where waivers are executed by the distributors or wholesalers concerned, or where the geographical area of distribution has not been already allocated to a distributor or wholesaler, or after a hearing has been held, upon presentation of sufficient evidence of any violation of the liquor control act or regulations of the department, or evidence of any other act detrimental to the orderly conduct of the business, in which a present authorized distributor or wholesaler has been involved. The notice of change shall indicate that the name of the permittee is to be an additional distributor or wholesaler or, in the case of eliminating the name of a present distributor or wholesaler, with or without substituting another permittee's name, the notice of the change shall so indicate an "elimination" or "substitution." Geographical areas of distribution shall be submitted either by townships or counties or state-wide, and any change in geographical area of distribution shall fully conform to the same essential conditions as required in the notice of change to distributors or wholesalers. (Effective January 11, 1984; Amended October 1, 2001)

B Manufacturer and Wholesale Permits

Sec. 30-6-B8. Records of purchases

Every holder of a manufacturer or wholesaler permit shall maintain a complete monthly record of all purchases made and shipments received by him of all alcoholic liquors, which shall include the number of cases, with inclusive serial numbers, from whom received, the type and brand name, the price and the date of delivery thereof. Such records shall be maintained at all times on the permit premises and be made available to the department or its agents upon request. Any refusal of a permittee or his duly authorized agent to permit examination of the records, upon request, by an agent of the department shall be in violation of this section. The department shall hold permittees strictly accountable for such records.

Sec. 30-6-B8a. Records of sales

Manufacturers, on a monthly basis, shall file with the department a record of sales and shipments of spirits to wholesalers which occurred during the previous month. Such record shall contain the number of cases of each brand, the size of the containers, and the name of the vendee. Alternatively, manufacturers may provide invoices or summaries which provide the foregoing information. Records, invoices or summaries shall be accompanied by a statement from the manufacturer certifying that the documents submitted are a true and accurate statement of shipments made during the subject month.

(Effective May 27, 1988; Amended October 1, 2001)

Sec. 30-6-B9. Restriction of sales

No alcoholic liquor shall be sold or delivered by any wholesaler or manufacturer permittee except from his permit premises, unless the permittee has first received and inventoried the alcoholic liquor from the delivery truck into the warehouse.

(Effective August 28, 1984; Amended effective October 1, 2001)

Sec. 30-6-B10. Sales of alcoholic liquors, other than alcohol and wine for industrial purposes, to nonpermittees

Every wholesaler permittee shall submit to the department, in duplicate, within five days of the date of delivery, an invoice of all alcoholic liquors, other than alcohol and wine be used for the purposes specified in section 30-77 of the Connecticut General Statutes, sold to nonpermittees

for industrial purposes. Such invoice shall disclose the name of the seller, the name of the purchaser, the date of sale and the quantity and type of alcoholic liquor. Such wholesaler permittee shall keep, upon the permit premises, a separate account of all such transactions available for investigation by the department and its agents.

Sec. 30-6-B11. Repealed, May 3, 1966.

Sec. 30-6-B12. Manufacturer and wholesaler price lists to be filed

(a) Each manufacturer and wholesaler permittee shall, annually, on or before the twelfth day of December, file with the department on forms prescribed by the department one copy of a complete schedule, with each page of such schedule numbered in numerical order, duly verified by the permittee and attested by the backer if an individual or, if the backer is a corporation, by an officer of such corporation, of all alcoholic liquors offered for sale in Connecticut. These lists shall contain with respect to each item: (1) The type of beverage and brand name; (2) the size of the container; (3) the age or per cent and type of neutral spirits; (4) the proof; (5) the number of bottles per case; (6) the bottle price and case price which shall include all customs, duties, federal taxes, state taxes and cost of delivery to the permittee. If a manufacturer or wholesaler sells to another manufacturer or wholesaler, the prices shall be submitted on a separate schedule; (7) the name of the publication or publications the prices will appear in. If not published, the affidavit required by subsection (g) shall be submitted. The following information shall be submitted only by manufacturer and wholesaler beer permittees: (1) The type of beverage; (2) the size of the container (barrel, half-barrel, quarter-barrel); (3) the number and size of bottles per case; (4) the container price and case price; (5) the name of the publication or publications the prices will appear in. If not published, the affidavit required by subsection (g) shall be submitted.

(b) Except in the case of still wines and sparkling wines, the case price shall be individual for each item and not in combination with another item. Schedules on multiple packages of still wines and sparkling wines shall contain the bottle price for each item contained in the multiple package, the unit price, and the case price. The bottle price posted in such multiple package case must be the same as the bottle price posted in a case containing the one type and brand of wine. The price set forth therein shall become effective on the first day of the calendar month following the effective filing date thereof and, unless withdrawn or amended, shall be considered refiled and effective each month until the filing date of the next complete schedule.

(c) Price changes and prices on new items may be filed on supplemental price schedules, which schedules shall be filed on or before the twelfth day of any month, and the prices on such supplemental schedules shall become effective on the first day of the month following the effective filing date thereof. One copy of such supplemental price schedules showing amended prices shall be filed and only price changes and prices on new items should be listed.

(d) No changes, corrections or additions will be considered after the effective filing date, except in cases where obvious typographical errors have been made and except where otherwise allowed by statute.

(e) No manufacturer or wholesaler permittee may sell or offer for sale any brand of alcoholic liquor which does not appear on his price schedule. All items listed shall be bona fide offerings of the items set forth in the list and each manufacturer and wholesaler, upon request of the department, shall furnish the department with an inventory of any items that appear on his list. All liquor sold in less than case units at wholesale shall be sold at the per bottle price posted.

(f) All liquors shall be shipped and received by the purchaser in the same period for which the prices set forth in the invoices are in effect.

(g) Each manufacturer and wholesaler shall furnish each permittee customer with a copy of his price schedule, as amended, either by direct mail or by publishing his price schedule in any publication approved by the department of liquor control, provided, in accordance with the method used, the manufacturer, wholesaler or publication shall, on or before the tenth day of the month for which such schedule is effective, submit an affidavit that the provisions of this section have been complied with. If a manufacturer or wholesaler permittee solicits a new account, he shall, before making any sales, present a current price schedule to such account.

(h) A manufacturer or wholesaler posting prices on private labels shall submit those prices on separate sheets distinctly marked "Private Labels."

(i) Each price schedule filed shall contain the statement that the manufacturer or wholesaler is a "present authorized distributor" of all brands on which prices are quoted. If for any reason a manufacturer or wholesaler files prices on any items or brands of which he is not an authorized distributor, such items or brands shall be listed as "close-outs." Prices on so-called "close-out" items shall be filed every month even though they remain the same. Such items shall be disposed of within three months and shall not be listed on more than three successive lists without permission of the department and the department will strike from the list those items unless the distributor presents the department with satisfactory reasons for not doing so.

(j) A violation of any of the provisions of this section shall be punishable by suspension or revocation.

(Effective January 11, 1984; Amended October 1, 2001)

Sec. 30-6-B13. Repealed, October 1, 2001.

Sec. 30-6-B14. Sale on consignment prohibited

No manufacturer or wholesaler permittee shall sell alcoholic liquors on consignment, except in the case of a temporary permit provided the return of the alcohol is accomplished within thirty days of the expiration of the permit.

(Amended October 1, 2001)

Sec. 30-6-B15. Records of salesmen's expenses, allowances, bonuses, etc.

Every wholesaler or manufacturer permittee shall be required to keep a record, either weekly or monthly, of all salaries, wages, expenses, allowances, bonuses, cash disbursements and gratuities, either in the form of cash or things of value, paid to any of his employees, agents or salesmen representing him in the state of Connecticut. Such records shall be available for inspection by the agents of the commission at all times during business hours.

Sec. 30-6-B16. Contracts; agreements; franchises

A copy of any contract, franchise or agreement between any out-of-state shipper permittee and any wholesaler or manufacturer permittee connected with the importation, purchase, sale or distribution of alcoholic liquors shall be maintained and made available to the department. Each out-of-state shipper, brewer or wholesaler permittee shall maintain true and accurate financial records setting forth a record of each transaction in such a manner as will disclose the true nature of each such transaction. These records shall be open at all times to an agent of the department during reasonable hours and subject to audit by a department agent or representative. These records shall be maintained on the permit premises for at least two years.

(Amended October 1, 2001)

C
Broker Permits

Sec. 30-6-B17. Repealed, October 1, 2001.

D
Package Store Permits

Sec. 30-6-B18. Repealed, October 1, 2001.

Sec. 30-6-B19. Repealed, October 1, 2001.

Sec. 30-6-B20. Restriction of sales

(a) No alcoholic liquors shall be sold, offered for sale or delivered by any package store permittee, backer or agent except upon and from the permit premises, or removed therefrom by the purchaser except during the hours of sale permitted by statute, nor shall any liquors be removed from the authorized place of storage except to the permit premises and only during the hours permitted by statute; provided this section shall not prevent the taking and transmitting of orders for delivery out of state as provided by statute.

(b) No permittee shall sell or deliver any alcoholic liquors to any person who is purchasing such liquors for the purpose of reselling the same.
(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-B21. Consumption on premises

Unless allowed by section 30-20 of the Connecticut General Statutes or section 30-6-B21a of the Regulations of Connecticut State Agencies, no package store or druggist permittee shall permit the container of any alcoholic beverage to be opened on the permit premises, nor shall such permittee keep or permit to be kept on the permit premises any unsealed containers, except those containing such alcoholic liquors as are being used in compounding of physicians' prescriptions or for the manufacturing of United States pharmacopoeia or national formulary preparations or other medicinal preparations. The presence of any unsealed containers on the premises, except those in tastings, may be considered as prima facie evidence of a violation of this section.

(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-B21a. Tastings

(a) Tastings at package stores: (1) No alcoholic liquor shall be consumed on the premises of a package store, except tastings conducted in accordance with the provisions of this section. (2) Any wholesaler, out-of-state shipper, or manufacturer may assist in the planning, promoting, and conducting of tastings for permittees as permitted by this section. The tastings may be conducted on the wholesaler's, out-of-state shipper's, manufacturer's, or retailer's permit premises as permitted by law. (3) Tastings by the general public may be conducted on the premises by the package store permittee, backer or employee or agent of same and shall not exceed the following amounts per patron: one half ounce per cordial or spirit, one ounce per wine, and two ounces per beer. (4) No tastings shall be allowed in a package store before 12 noon or after 8 p.m. or on days or at times when the sale of alcoholic liquor is prohibited at package stores. (5) No tastings shall be offered from more than four open uncorked bottles or cans at any one time. (6) No tastings shall be offered to or allowed to be consumed by any minor or intoxicated person.

(b) Tastings or demonstrations for charitable organizations: (1) "Charitable organization" means any non-profit organization organized for charitable purposes to which has been issued a ruling by the Internal Revenue Service classifying it as an exempt

organization under Sec. 501 (c) (3) of the Internal Revenue Code and which would, therefore, be eligible to apply for a charitable organization permit under the Liquor Control Act. (2) Tastings or demonstrations for a charitable organization shall be allowed only off the package store permit premises and only with prior written approval from the Department. Tastings for a charitable organization and sponsored by any non-package store permittee shall be allowed on or off the permit premises, and only with prior written approval from the department. (3) Permittees seeking permission for tastings or demonstrations for charitable organizations shall submit their request in writing to the department at least ten (10) days prior to the planned event. This ten-day notice may be waived by the department for cause. (4) The nominal fee which a package store permittee may charge a charitable organization for a tasting or demonstration shall not exceed the cost to the permittee of the alcoholic beverages provided. (5) A wholesaler or out-of-state shipper may assist in the planning, promoting, and conducting of tastings for charitable organizations. (6) No tastings shall be offered to or allowed to be consumed by any minor or intoxicated person. (7) A permittee may: (A) gift alcoholic liquor to the charitable organization in connection with the tasting; (B) provide free merchandise or financial assistance, whether by direct cash grants, merchandise credit, or the loaning of employees to assist the charitable organization in any such tastings; and (C) provide assistance in the form of a representative to lecture and respond to inquiries and provide educational materials.

(c) Demonstrations related to alcoholic liquor: (1) "Demonstrations" related to the use of alcoholic liquor means the exhibition or use of alcoholic liquor at public gatherings for purposes other than tasting. (2) Demonstrations shall be allowed only off the package store permit premises and only with prior written approval of the Department. (3) Package store permittees seeking permission for demonstrations shall submit their request in writing to the Department at least ten (10) days prior to the planned event. This ten-day notice may be waived by the department for cause.

(Effective August 9, 1985; Amended October 1, 2001)

Sec. 30-6-B22. Repealed, October 1, 2001.

Sec. 30-6-B22a. Repealed, September 30, 1983.

E **Daily Records**

Sec. 30-6-B23. Repealed, October 1, 2001.

Sec. 30-6-B24. Repealed, October 1, 2001.

Sec. 30-6-B25. Repealed, October 1, 2001.

Sec. 30-6-B25a. Daily records to be kept

Each restaurant, café, package store, and druggist permittee shall keep on the permit premises a daily record of the sales of alcoholic beverages and food, if applicable, totaled monthly. Any permittee may request permission to have his books, except the daily records, kept at an accountant's office or permittee's or backer's home or office, provided satisfactory arrangements shall be made to produce such records on the permit premises within a reasonable time. The department shall hold permittees strictly accountable for the accuracy of such records.

(Effective October 28, 1977; Amended October 1, 2001)

F
Restaurant, Bowling Establishment, and Café Permits

Sec. 30-6-B26. Repealed, June 24, 1980.

Sec. 30-6-B27. Repealed, June 24, 1980.

Sec. 30-6-B28. Area; seating capacity; facilities

(a) No restaurant permit shall be issued if the premises applied for is not equipped with a dining room having an area of four hundred square feet or more and having a seating capacity of twenty persons or more.

(b) No permit shall be issued for a cafe which consists of more than one public room, excluding toilet, kitchen and other non-public areas, unless its dining room or lounge has an area of four hundred square feet or more and a seating capacity of twenty persons or more.

(c) No restaurant permit and no permit for a cafe consisting of more than one public room shall be issued unless the premises have separate toilet facilities for men and for women which may be reached without passing through the barroom. The department may, in its discretion, waive the requirement for separate facilities in cases of hardship. Upon a showing of changed conditions, the department may revoke the waiver after due notice and an opportunity for a hearing has been provided.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-B28a. Restaurant and cafe permit premises which have access to bowling lanes

No restaurant or cafe permit premises may have interior access to a bowling alley, unless otherwise approved by the department.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-B29. Separate barrooms; partitions

On all new applications for a restaurant permit or for a cafe permit where the cafe is to consist of more than one public room the department shall require either effective separation of the dining room, or lounge from the barroom or an agreement to the effect that the use of the bar on the premises will be confined to a service bar only, in an area wherein patrons are not allowed to produce or obtain drinks in said service bar. Nothing in this section shall prohibit a permittee from lawfully operating both a barroom and a service bar.

(Effective August 28, 1984; Amended October 1, 2001)

Sec. 30-6-B30. Repealed, October 28, 1977.

Sec. 30-6-B31. Repealed, October 1, 2001.

Sec. 30-6-B32. Repealed, October 1, 2001.

Sec. 30-6-B32a. Repealed, October 1, 2001.

Sec. 30-6-B32b. Repealed, October 1, 2001.

Sec. 30-6-B33. Repealed, October 1, 2001.

Sec. 30-6-B33a. Hotel register; daily records to be kept

Each hotel permittee shall keep on the permit premises, in the English language, records of money received from transient guests for sleeping accommodations. Each hotel permittee shall maintain a hotel register which shall include the name and address of each transient guest and the date of his registry. Any falsification of these records shall subject the permit to revocation or suspension. The department shall hold permittees or backers strictly accountable for the accuracy of such records.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-B33b. Hotel guest bars

(a) One or more hotel guest bar permits may be issued at any hotel permit premises in accordance with the general statutes. Hotel guest bars, for which a permit has been issued, shall be located only in rooms where sleeping accommodations are available to transient guests. Unless otherwise prohibited by law, such guest bars may contain food and non-alcoholic beverages in addition to alcoholic liquor.

(b) Nothing in this section shall be construed as an exception to the provisions of the Liquor Control Act or Regulations of Connecticut State Agencies applicable to hotel permittees or backers concerning hours and days of sale, sales to minors or intoxicated persons.

(c) All guest bar permits shall be issued for a permit year coterminous with the hotel permit issued at the same premises, and if first issued during the hotel permit year, shall nevertheless expire on the same date as the hotel permit.

(Effective March 3, 1995; Amended October 1, 2001)

**G
Tavern Permits**

Sec. 30-6-B34. Repealed, November 3, 1978.

Sec. 30-6-B35. Repealed, June 24, 1980.

Sec. 30-6-B36. Repealed, June 24, 1980.

Sec. 30-6-B37. Repealed, October 1, 2001.

Sec. 30-6-B38. Repealed, October 1, 2001.

**H
Club, Golf Country Club, and Nonprofit Club Permits**

Sec. 30-6-B39. Guest book

(a) No person shall be construed to be a guest of a member of a club, golf country club or nonprofit club within the intent of section 30-23 and section 30-24a of the general statutes until his name and address have been entered in the guest book maintained for such purposes on the club, golf country club or nonprofit club premises together with the signature of the member and the date of introduction, provided neither the permittee nor any person employed to dispense alcoholic beverages on such premises, during his working hours on such premises, shall enter such person's name in such book. This requirement may be waived by the department for special occasions upon written application. Written requests for such waivers shall be submitted in duplicate as soon as arrangements for these affairs are made and as far in advance as possible and shall include the following information: (1) In the case of private parties, whether they are club sponsored or sponsored by a member or members, giving his or their names, and the type of affair; (2) in the case of wedding receptions, anniversaries, etc., the blood relationship of the sponsor to the person for whom the affair is to be held; and (3) the number of members and the number of guests who are expected to attend.

(b) The holders of a nonprofit club permit shall be allowed to rent or lease their facilities for non-club sponsored functions or functions sponsored by a member or members, without the requirement of maintaining a guest book for those functions or obtaining a waiver of the guest book requirements, provided that the gross receipts to the club for these functions, for each permit year, including but not limited to the sale of liquor and food, and any fee for use of the facilities, does not exceed fifteen percent of the club's gross receipts for such year.

(Effective September 30, 1983; Amended October 1, 2001)

Sec. 30-6-B40. Members

No person shall be considered a member of a club holding a permit from the department unless he has been elected therein and has a voice in the election or appointment of club officers who determine club policies and direct club management and is eligible himself for election or appointment as a director or club officer; provided, where the department finds that there are extra facilities and privileges of the club buildings, such as golf, tennis, beach, hunting, riding, etc., the right of a person to the use and exercise of such facilities and privileges without having a voice in the election or appointment of club officers who determine club policies and direct club management shall constitute such person a member of the club within the purview of this section. A club permit is designed to make available the sale of alcoholic liquor to its members and their guests, and it is not intended that such liquors shall be sold as a commercial or business enterprise, or that the object of such sales shall be money profit only.

(Amended October 1, 2001)

Sec. 30-6-B41. Records

Every club, golf country club or nonprofit club permittee shall maintain, in the English language, records showing: (1) Total monthly receipts exclusive of proceeds from the sale of alcoholic liquor; (2) total monthly receipts from the sale of alcoholic liquor; (3) total monthly expenses which shall include rent, taxes, electricity, heat, mortgage, interest and wages. Any permittee may request permission to have his books, except the daily records, kept at an accountant's office, or at the home of the treasurer of the club, golf country club or nonprofit club, provided satisfactory arrangements shall be made by the accountant or treasurer to produce such records on the permit premises within a reasonable time. Permittees shall be strictly accountable for the accuracy of such records. A copy of the constitution and by-laws of the club, golf country club or nonprofit club with the latest revisions, shall be maintained in the English language as shall be the recording secretaries' records. In addition to maintaining the above, a nonprofit club shall maintain a permit year to date listing of each function that is not club sponsored or sponsored by a member or members, stating the gross receipts to the club for such function including but not limited to the fee received to rent or lease the facility and the gross receipts from the sale of alcoholic beverages and food prepared and/or consumed at the function. The permittee or backer of such nonprofit club permit shall also provide to the department or its agents, upon request, copies of any appropriate internal revenue service form 990 or "function sheets" required to be maintained by the Internal Revenue Service, to help the department in its enforcement of section 30-23(b) of the Connecticut General Statutes.

(Effective September 30, 1983; Amended October 1, 2001)

Sec. 30-6-B42. Premises

No new application for a club or golf country club permit premises shall be approved if the premises applied for consists of one room only and a bar is part of the furnishings of such one room. The club or golf country club permit premises must include a separate meeting room and a separate barroom, the meeting room must be adequate in size to accommodate the membership, and the barroom must not exceed the total square footage of the meeting room. Notwithstanding any other provisions of this section to the contrary, the separator between the meeting room and barroom may be opened at any time when meetings are not being conducted so as to allow the meeting room to become part of the barroom.

(Effective December 1, 1982)

I Temporary Permits

Sec. 30-6-B43. Application

No temporary permit will be issued unless application is made accompanied by the proper fee, at least ten days before the date of the proposed outing, picnic or social gathering on forms provided by the department, and no organization, as backer, shall make more than four applications for such a permit during any one calendar year. The department may, for cause, in its discretion limit the hours of sale under a temporary permit or waive the ten-day notice requirement.

(Effective January 26, 1973; Amended October 1, 2001)

Sec. 30-6-B44. Conduct of permit premises

All reports, complaints or other evidence as to the conduct of organizations under previous permits will be considered by the department on subsequent applications.

J Concession Permits

Sec. 30-6-B45. Limitation of sale

The sale of beer under a concession permit shall be limited to the hours prescribed by statute, and further limited to the hours during which the specified fair grounds, ball park, public golf course or sports arena is in operation for the purpose for which it was established. The department will consider as "hours" those during which the general public is in attendance.

(Effective October 28, 1977; Amended October 1, 2001)

Sec. 30-6-B45a. Sports arena defined

A sports arena, as that term is used in section 30-33 of the Connecticut General Statutes, is any indoor or outdoor facility where sporting events are contested by competitors before the general public. Such a sports arena shall have bleachers or other permanent seats for at least one hundred spectators.

(Effective June 13, 1980; Amended October 1, 2001)

Sec. 30-6-B46. Delivery of containers

No glass or metal container shall be delivered to a consumer on premises operating under a concession permit.

(Effective January 26, 1973; Amended October 1, 2001)

K Nonprofit Theater Permits

Sec. 30-6-B47. Repealed, October 1, 2001.

Sec. 30-6-B48. Time of service

The time of service of alcoholic beverages on a theater premises shall not exceed, with respect to each performance, a period starting one and one-half hours before the beginning of the performance and ending at the conclusion of the performance. For good cause shown by written application, the department may in writing extend such time for a particular occasion.

(Effective December 5, 1967; Amended October 1, 2001)

L
University Permits

Sec. 30-6-B49. Areas of service and consumption

All storage of alcohol shall be locked during the hours and days when the sale and consumption of alcohol is prohibited. All alcohol sold or delivered under such a permit shall be consumed on the permit premises and shall not be removed therefrom by patrons.

(Effective May 29, 1975; Amended October 1, 2001)

Sec. 30-6-B50. Repealed, October 1, 2001.

Sec. 30-6-B51. Repealed, October 1, 2001.

Sec. 30-6-B52. Repealed, October 1, 2001.

Sec. 30-6-B53. Repealed, October 1, 2001.

Sec. 30-6-B54. Reserved

Sec. 30-6-B55. Restriction of sales

(a) During hours when the sale of alcoholic liquors for off-premises consumption is forbidden and grocery store beer permit premises are open for business, all beer coolers accessible to the public shall be locked and all floor stock suitably covered so as to prevent access to the public. No beer shall be removed from such premises except during legal hours of sale.

(b) No permittee or backer, who owns or operates a grocery store adjacent to any package store liquor permit premises, shall deliver alcoholic beverages together with groceries ordered by any consumer or purchaser from the grocery store premises. Alcoholic beverages sold under a package store liquor permit shall be delivered separately to any purchasers. Nothing in this subsection shall prohibit the delivery of beer sold under a grocery store beer permit exclusively or along with groceries from such grocery store beer permit premises.

(Effective February 19, 1980)

Sec. 30-6-B56. Repealed, October 1, 2001.

Part III: Hearings

A

Procedure

Sec. 30-6-C1 through 30-6-C12, inclusive. Repealed, October 1, 2001.

B

Decision

Sec. 30-6-D1 through 30-6-D2, inclusive. Repealed, October 1, 2001.

Sec. 30-6-E1. Repealed, October 1, 2001.

Part IV: Meetings and Records

A

Meetings

B

Records

Sec. 30-6-F1 through 30-6-F4, inclusive. Repealed, October 1, 2001.

Part V: Keg Purchases

Sec. 30-6a-G1. Keg purchases

For purposes of the receipt required by subdivision (2) of subsection (c) of section 30-114 of the Connecticut General Statutes, permittees may accept and record the numbers of any of the following as other identifying information, in lieu of the purchaser's motor vehicle operator's license number: (a) Identity card, either Connecticut or out-of-state; (b) Military identification card; (c) Passport; (d) Alien registration card.

(Effective April 5, 1999)

Sec. 30-6a-G2. Deposit

Any holder of a package store permit or a grocery store beer permit that sells keg beer shall post a conspicuous sign at each point of sale to inform the purchaser of the deposit refund policy. The sign shall be at least six by nine inches in size, easily readable by a consumer making a purchase at such point of sale, and shall not contain any additional text including, but not limited to, store or promotional slogans, names or advertising. The sign shall read as follows: "ANY DEPOSIT PAID BY THE PURCHASER FOR THE KEG, IF REQUIRED, SHALL BE FORFEITED IF THE KEG IS RETURNED WITHOUT THE ORIGINAL IDENTIFICATION TAG INTACT AND READABLE." Such statement shall be in capital lettering.

(Effective April 5, 1999)

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