



General Assembly

January Session, 2023

Substitute Bill No. 975



**AN ACT CONCERNING THE LEGISLATIVE COMMISSIONERS'
RECOMMENDATIONS FOR MINOR AND TECHNICAL REVISIONS TO
STATUTES CONCERNING CONSUMER PROTECTION.**

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

1 Section 1. Subdivision (6) of section 42-515 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July 1,*
3 *2023*):

4 (6) "Consent" means a clear affirmative act signifying a consumer's
5 freely given, specific, informed and unambiguous agreement to allow
6 the processing of personal data relating to the consumer. "Consent" may
7 include a written statement, including by electronic means, or any other
8 unambiguous affirmative action. "Consent" does not include (A)
9 acceptance of [a] general or broad terms of use or a similar document
10 that contains descriptions of personal data processing along with other,
11 unrelated information, (B) hovering over, muting, pausing or closing a
12 given piece of content, or (C) agreement obtained through the use of
13 dark patterns.

14 Sec. 2. Subsection (a) of section 30-22a of the general statutes is
15 repealed and the following is substituted in lieu thereof (*Effective July 1,*
16 *2023*):

17 (a) A cafe permit shall allow the retail sale of alcoholic liquor to be

18 consumed on the premises of a cafe. The holder of a cafe permit shall
19 keep food available for sale to its customers for consumption on the
20 premises during the majority of the hours such premises are open. The
21 availability of food from outside vendors located on or near the
22 premises, who may directly deliver such food or indirectly deliver such
23 food through a third party, shall be deemed to constitute compliance
24 with such requirement. The licensed premises shall at all times comply
25 with all the regulations of the local department of health. Nothing herein
26 shall be construed to require that any food be sold or purchased with
27 any alcoholic liquor, nor shall any rule, regulation or standard be
28 promulgated or enforced to require that sales of food be substantial or
29 that the business's receipts from sales of alcoholic liquor equal any set
30 percentage of total receipts from all sales made on the licensed premises.
31 A cafe permit shall allow, with the prior approval of the Department of
32 Consumer Protection, alcoholic liquor to be served at tables in outside
33 areas that are screened or not screened from public view where
34 permitted by fire, zoning and health regulations. If not required by fire,
35 zoning or health regulations, a fence or wall enclosing such outside
36 areas shall not be required by the Department of Consumer Protection.
37 No fence or wall used to enclose such outside areas shall be less than
38 thirty inches high. Such permit shall also authorize the sale at retail from
39 the premises of sealed containers, supplied by the permittee, of draught
40 beer for consumption off the premises. Such sales shall be conducted
41 only during the hours a package store is permitted to sell alcoholic
42 liquor under the provisions of subsection (d) of section 30-91. Not more
43 than four liters of such beer shall be sold to any person on any day on
44 which the sale of alcoholic liquor is authorized under the provisions of
45 subsection (d) of section 30-91. The annual fee for a cafe permit shall be
46 two thousand dollars, except the annual fee for a cafe permit for a prior
47 holder of a tavern permit issued under section 30-26 shall be eight
48 hundred dollars for the first year, twelve hundred dollars for the second
49 year, one thousand six hundred dollars for the third year and two
50 thousand dollars for each year thereafter.

51 Sec. 3. Subsection (c) of section 30-91 of the general statutes is

52 repealed and the following is substituted in lieu thereof (*Effective July 1,*
53 *2023*):

54 (c) Notwithstanding any provisions of subsections (a) and (b) of this
55 section, such sale, dispensing, consumption or presence in glasses in
56 places operating under a cafe permit issued under subsection (f) of
57 section 30-22a shall be unlawful before eleven o'clock a.m. on any day,
58 except in that portion of the permit premises which is located in a
59 separate room or rooms entry to which, from the bowling lane area of
60 the establishment, is by means of a door or doors which shall remain
61 closed at all times except to permit entrance and egress to and from the
62 lane area. Any alcoholic liquor sold or dispensed in a place operating
63 under a cafe permit issued under subsection (f) of section 30-22a shall
64 be served in containers such as, but not limited to, plastic or glass. Any
65 town may, by vote of a town meeting or by ordinance, reduce the
66 number of hours during which sales under this subsection shall be
67 permissible.

68 Sec. 4. Subsection (a) of section 52-557l of the general statutes is
69 repealed and the following is substituted in lieu thereof (*Effective October*
70 *1, 2023*):

71 (a) Notwithstanding any provision of the general statutes, any
72 person, including, but not limited to, a seller, farmer, processor,
73 distributor, wholesaler or retailer of food, who donates an item of food
74 for use or distribution by a nonprofit organization, nonprofit
75 corporation, political subdivision of the state or senior center, and any
76 nonprofit organization or nonprofit corporation that collects donated
77 food and distributes such food to other nonprofit organizations or
78 nonprofit corporations or a political subdivision of the state or senior
79 center free of charge or for a nominal fee, shall not be liable for civil
80 damages or criminal penalties resulting from the nature, age, condition
81 or packaging of the food, unless it is established that the donor, at the
82 time of making the donation, or the nonprofit organization or nonprofit
83 corporation, at the time of distributing the food, knew or had reasonable
84 grounds to believe that the food was (1) adulterated, as described in

85 section 21a-101, or (2) not fit for human consumption.

This act shall take effect as follows and shall amend the following sections:		
Section 1	July 1, 2023	42-515(6)
Sec. 2	July 1, 2023	30-22a(a)
Sec. 3	July 1, 2023	30-91(c)
Sec. 4	October 1, 2023	52-5571(a)

Statement of Legislative Commissioners:

In Sections 2 and 3, "as amended by this act" was deleted for consistency with standard drafting conventions.

GL *Joint Favorable Subst. -LCO*