

PUBLIC ACT 21-37: ALCOHOL TO GO

During the 2021 legislative session, the CT General Assembly passed legislation to continue to allow certain on-premise permittees to sell and deliver alcoholic liquor for off-premise consumption that they currently sell for on premise consumption, until June 4, 2024.

The act applies to the following permittees:

1. manufacturers, when they are not selling their own product, and
2. hotels; restaurants; and cafes.

The act (1) requires the alcoholic liquor sold for off-premises consumption to be accompanied by food prepared on the permit premises and (2) specifies that sales must be consistent with all local ordinances where the premises is located. Except for manufacturers, permittees may use a container other than the manufacturer's original sealed container, but it must be securely sealed.

By law, manufacturer permittees may already sell their own product for off- premises consumption under certain conditions and the act does not apply to these sales. The act allows them to deliver their products and specifically allows them to do so without food.

The act allows sales and deliveries only during the hours package stores may operate under state law (see Background). The permittee's direct employee must make the deliveries unless the third-party vendor or entity holds an in-state transporter permit (Uber eats, Door Dash, etc.).

The act limits the amounts hotel and restaurant permittees may sell each customer per order to 196 ounces for beer, one liter for spirits, and 1.5 liters for wine.

Securely Sealed Containers: Except for manufacturer permittees, the act allows the alcoholic liquor to be sold and delivered in containers other than the manufacturer's original sealed container.

Under the act, the alcoholic liquor must be given to the consumer in a securely sealed container that prevents consumption without removing the tamper-evident lid, cap, or seal. The act specifies a securely sealed container does not include one with a lid with sipping holes or openings for straws. It also requires the permittee's agent or employee to place each securely sealed container into a bag before leaving the permit premises.

Under the act, a sealed container is not deemed an open container, so long as the (1) container is unopened and the seal has not been tampered with and (2) contents have not been partially removed.

Manufacturer Permittees

The act subjects manufacturer permittees to the same limits for off-premises consumption as the amount they may sell at retail from their premises under existing law. By law, for each consumer, manufacturer permittees for (1) spirits that produce less than 50,000 gallons may sell up to three liters per day but not more than five gallons in any two-month period and (2) beer may sell up to nine gallons per day (CGS § 30-16). There is no limit for permittees of (1) a farm winery or (2) wine, cider, and mead.

Background – Package Store Hours

By law, package stores may sell alcohol between 10:00 a.m. and 6:00 p.m. on Sunday and 8:00 a.m. and 10:00 p.m. Monday through Saturday. Sales are also prohibited on Thanksgiving Day, New Year's Day, and Christmas (CGS § 30-91(d)).