



General Assembly

Substitute Bill No. 340

February Session, 2024



AN ACT CONCERNING TOBACCO DEALER LICENSES.

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

1 Section 1. (NEW) (*Effective October 1, 2024*) A municipality may adopt
2 an ordinance requiring that each person who files an application to
3 renew a license pursuant to section 12-287 of the general statutes, as
4 amended by this act, shall simultaneously give written notice of such
5 renewal application to the chief law enforcement official, or such chief
6 law enforcement official's designee, of the town in which any place of
7 business to be operated under such license is located. Such chief law
8 enforcement official, or such chief law enforcement official's designee,
9 may respond in writing, not later than fifteen days after receipt of such
10 notice, to the Commissioner of Revenue Services, with comments
11 regarding the renewal application that is the subject of such notice. The
12 commissioner shall consider any written comments offered by such
13 chief law enforcement official, or such chief law enforcement official's
14 designee, prior to approving such application.

15 Sec. 2. (*Effective October 1, 2024*) Not later than January 1, 2026, the
16 Commissioner of Revenue Services shall submit a report, in accordance
17 with section 11-4a of the general statutes, to the joint standing
18 committees of the General Assembly having cognizance of matters
19 relating to planning and development, finance, revenue and bonding

20 and public safety and security. Such report shall include, but not be
21 limited to: (1) The number of written comments submitted by chief law
22 enforcement officials, or such chief law enforcement officials' designees,
23 under section 1 of this act, (2) copies of such written comments, if any,
24 (3) a summary of the actions taken by the Department of Revenue
25 Services regarding the granting or denial of a license renewal
26 application pursuant to section 12-287 of the general statutes, as
27 amended by this act, for which comments were received under section
28 1 of this act, and (4) the commissioner's conclusions and
29 recommendations, after consultation with such chief law enforcement
30 officials or such chief law enforcement officials' designees, regarding the
31 notice requirement contained in section 1 of this act.

32 Sec. 3. Section 12-287 of the general statutes is repealed and the
33 following is substituted in lieu thereof (*Effective October 1, 2024*):

34 (a) For purposes of this section, "filing date" means the date upon
35 which the Department of Revenue Services, after approving the
36 application for processing, mails or otherwise delivers to the applicant
37 a placard containing such date.

38 (b) Each person engaging in, or intending to engage in, the business
39 of selling cigarettes in this state as a dealer, and each person engaging
40 in or intending to engage in, the business of selling taxed tobacco
41 products at retail, shall secure a dealer's license from the Commissioner
42 of Revenue Services before engaging in such business or continuing to
43 engage therein. Subject to the provisions of section 12-286, such license
44 shall be renewable annually, provided that prior to renewal the
45 commissioner shall consider any comments received pursuant to section
46 1 of this act.

47 (c) The applicant, immediately after filing an application, shall give
48 notice thereof, with the name and residential address of the applicant
49 and the location of the place of business for which such license is to be
50 issued, all in a form prescribed by the department, by publishing the
51 same in a newspaper having a circulation in the town in which the place

52 of business to be operated under such license is to be located, at least
53 weekly for two successive weeks. The first publication shall be not more
54 than seven days after the filing date of the application and the last
55 publication shall be not more than fourteen days after the filing date of
56 the application. The applicant shall affix, and maintain in a legible
57 condition upon the outer door of the building wherein such place of
58 business is to be located and clearly visible from the public highway, the
59 placard provided by the department, not later than the day following
60 the receipt of the placard by the applicant. If such outer door of such
61 premises is so far from the public highway that such placard is not
62 clearly visible as provided, the department shall direct a suitable
63 method to notify the public of such application. When an application is
64 filed for a license for a building that has not yet been constructed, such
65 applicant shall erect and maintain in a legible condition a sign not less
66 than six feet by four feet upon the site where such place of business is to
67 be located. The sign shall (1) set forth the license applied for and the
68 name of the proposed licensee; (2) be clearly visible from the public
69 highway; and (3) be so erected not later than the day following the
70 receipt of the placard. Such applicant shall make a return to the
71 department, under oath, of compliance with the requirements of this
72 subsection, in such form as the department may determine. The
73 department may require additional proof of such compliance. Upon
74 receipt of evidence of such compliance, the department may hold a
75 hearing as to the suitability of the proposed location.

76 (d) Any ten persons who are at least eighteen years of age, and who
77 are residents of the town within which the place of business is intended
78 to be operated under the license or renewal applied for, may file with
79 the department, not later than three weeks from the last date of
80 publication of notice pursuant to subsection (c) of this section for an
81 initial license, and, in the case of renewal of an existing license, at least
82 twenty-one days before the renewal date of such license, a remonstrance
83 containing any objection to the suitability of such applicant or proposed
84 place of business, provided any such issue is not controlled by local
85 zoning. Upon the filing of such remonstrance, the department, upon

86 written application, shall hold a hearing and provide such notice as it
87 deems reasonable of the time and place at least five days before such
88 hearing. The remonstrants shall designate one or more agents for
89 service, who shall serve as the recipient or recipients of all notices issued
90 by the department. At any time prior to the issuance of a decision by the
91 department, a remonstrance may be withdrawn by the remonstrants or
92 by such agent or agents acting on behalf of such remonstrants and the
93 department may cancel the hearing or withdraw the case. The decision
94 of the department on such application shall be final with respect to the
95 remonstrance.

96 (e) The annual fee for a dealer's license shall be two hundred dollars.
97 Such license shall be valid for a period beginning with the date of license
98 to the thirtieth day of September next succeeding the date of license
99 unless sooner revoked as provided in section 12-295, or unless the
100 person to whom it was issued discontinues business, in either of which
101 cases the holder of the license shall immediately return it to the
102 commissioner. In the event of mutilation or destruction of such license,
103 a duplicate copy, marked as such, shall be issued by said commissioner
104 upon an application accompanied by a fee of fifteen dollars.

This act shall take effect as follows and shall amend the following sections:		
Section 1	October 1, 2024	New section
Sec. 2	October 1, 2024	New section
Sec. 3	October 1, 2024	12-287

PS Joint Favorable Subst.