

New Cigarette Dealer License Legislation

Sec. 57. (NEW) (Effective October 1, 2024) A municipality may adopt an ordinance requiring that each person who files an application to renew a license pursuant to section 12-287 of the general statutes shall simultaneously give written notice of such renewal application to the chief law enforcement official, or such chief law enforcement official's designee, of the town in which any place of business to be operated under such license is located. Such chief law enforcement official, or such chief law enforcement official's designee, may respond in writing, not later than fifteen days after receipt of such notice, to the Commissioner of Revenue Services, with comments regarding the renewal application that is the subject of such notice. The commissioner shall consider any written comments offered by such chief law enforcement official, or such chief law enforcement official's designee, prior to approving such application.

Sec. 58. (Effective October 1, 2024) Not later than January 1, 2026, the Commissioner of Revenue Services shall submit a report, in accordance with section 11-4a of the general statutes, to the joint standing committees of the General Assembly having cognizance of matters relating to planning and development, finance, revenue and bonding and public safety and security. Such report shall include, but not be limited to: (1) The number of written comments submitted by chief law enforcement officials, or such chief law enforcement officials' designees, under section 57 of this act, (2) copies of such written comments, if any, (3) a summary of the actions taken by the Department of Revenue Services regarding the granting or denial of a license renewal application pursuant to section 12-287 of the general statutes for which comments were received under section 57 of this act, and (4) the commissioner's conclusions and recommendations, after consultation with such chief law enforcement officials or such chief law enforcement officials' designees, regarding the notice requirement contained in section 57 of this act.

Sec. 59. Section 12-287 of the general statutes is repealed and the following is substituted in lieu thereof (Effective October 1, 2024):

(a) Each person engaging in, or intending to engage in, the business of selling cigarettes in this state as a dealer, and each person engaging in or intending to engage in, the business of selling taxed tobacco products at retail, shall secure a dealer's license from the Commissioner of Revenue Services before engaging in such business or continuing to engage therein. The department shall not issue an

initial license to an applicant until such applicant has complied with the provisions of subsection (b) of this section. Subject to the provisions of section 12-286, such license shall be renewable annually, provided that prior to renewal the commissioner shall consider any comments received pursuant to section 57 of this act.

(b) (1) Upon filing an application, an applicant shall, in a form and manner prescribed by the department, give notice of such application to the clerk of the municipality where the business is to be located. Such notice shall contain the name and residential address of the applicant and the location of the place of business for which such license is to be issued. Upon receipt of such notice, the clerk shall post and maintain such notice on the Internet web site of the municipality for at least two weeks.

(2) Not later than the day following the date an applicant provides notice pursuant to subdivision (1) of this subsection, the applicant shall affix a copy of such notice, which shall be maintained in a legible condition, upon the outer door of the building wherein such place of business is to be located. If an application is filed for a license for a building that has not yet been constructed, the applicant shall, not later than the day following the date an applicant provides notice pursuant to subdivision (1) of this subsection, erect and maintain in a legible condition on the site where the business is to be located, a sign that (A) is not less than six feet by four feet, (B) contains the license applied for and the name of the proposed licensee, and (C) is clearly visible from the public highway.

(3) An applicant shall make a return to the department, under oath, of compliance with the requirements of subdivisions (1) and (2) of this subsection, in such form as the department may require. The department may require additional proof of compliance. Upon receipt of sufficient evidence of such compliance, the department may hold a hearing as to the suitability of the proposed location.

(c) (1) Any ten persons who are at least eighteen years of age and who are residents of the town in which the place of business is intended to be operated under the license or renewal applied for, may file with the department, not later than three weeks after the last date of the posting of notice pursuant to subdivision (1) of subsection (b) of this section for an initial license, and, in the case of renewal of an existing license, at least twenty-one days before the renewal date of such license, a remonstrance containing any objection to the suitability of such applicant or proposed place of business, provided any such issue is not controlled by local zoning. Upon the filing of such remonstrance, the department, upon written application, shall hold a hearing and provide such notice as it deems reasonable of the

time and place at least five days before such hearing. 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.

(2) Any ten persons who have filed a remonstrance pursuant to the provisions of subdivision (1) of this subsection and who are aggrieved by the granting of a license by the department may appeal therefrom in accordance with section 4-183.

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