

BY: Conference Committee

AMENDMENTS TO HOUSE BILL NO. 785

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, in line 3, before “Arbitration” insert “Notice and”; strike beginning with “requiring” in line 6 down through “arbitration” in line 8 and substitute “requiring that arbitration proceedings be conducted in Maryland at the request of either a distributor or a grantor under certain circumstances; requiring a grantor to provide a distributor certain notice and certain opportunity to cure or dispute under certain circumstances; making provisions of this Act severable”.

On page 1, after line 15, insert:

“BY adding to

Article - Commercial Law

Section 11-1302.1

Annotated Code of Maryland

(1990 Replacement Volume and 1998 Supplement)”.

AMENDMENT NO. 2

On page 3, before line 20, insert:

“SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF MARYLAND, That the Laws of Maryland read as follows:”.

On page 3, before line 21, insert:

“11-1302.1.

IN ADDITION TO ANY OTHER PROVISION OF THIS SUBTITLE, WHEN NOTIFYING A DISTRIBUTOR OF A PROPOSED CANCELLATION OR NONRENEWAL OF ANY

(Over)

AGREEMENT, A GRANTOR SHALL PROVIDE A NOTICE OF THE DISTRIBUTOR'S FAILURE TO COMPLY WITH A REASONABLE REQUIREMENT OF THE AGREEMENT AND AN OPPORTUNITY TO CURE OR DISPUTE THE ASSERTED DEFICIENCY."

On page 3, in line 23, after "SUBTITLE," insert "THE REQUIREMENTS OF § 11-1302.1 OF THIS SUBTITLE,".

AMENDMENT NO. 3

On page 3, in line 28, after "distributor" insert "ON THE REQUEST OF EITHER PARTY".

AMENDMENT NO. 4

On page 4, after line 6, insert:

"SECTION 2. AND BE IT FURTHER ENACTED, That if any provision of this Act or the application thereof to any person or circumstance is held invalid for any reason in a court of competent jurisdiction, the invalidity does not affect other provisions or any other application of this Act which can be given effect without the invalid provision or application, and for this purpose the provisions of this Act are declared severable.";

and in lines 7 and 9, strike "2." and "3.", respectively, and substitute "3." and "4.", respectively.

AMENDMENT NO. 5

On page 4, in lines 8 and 10, in each instance, strike "October" and substitute "July".