

BY: Economic Matters Committee

AMENDMENTS TO SENATE BILL NO. 511

(Third Reading File Bill)

AMENDMENT NO. 1

On page 1, strike beginning with “deleting” in line 4 down through “delivery” in line 5 and substitute “establishing that, in Worcester County, a wholesaler may sell beer to a retail dealer on credit under certain circumstances; authorizing the wholesaler to establish different prices for cash and credit transactions; prohibiting a wholesaler from intentionally delivering beer to a retail dealer under certain circumstances; establishing a certain penalty; prohibiting the Board of License Commissioners from transferring or renewing an alcoholic beverages license of a retail dealer under certain circumstances; prohibiting a retail dealer from obtaining beer on credit under certain circumstances; requiring the State Comptroller to enforce the provisions of this Act; providing for the termination of this Act”.

AMENDMENT NO. 2

On page 2, in line 5, strike “AND”; in lines 6 and 7, in each instance, strike the bracket; in line 8, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A”; after line 9, insert:

“(C) (1) THIS SUBSECTION APPLIES ONLY IN WORCESTER COUNTY.

(2) SUBJECT TO THE CONDITIONS AND RESTRICTIONS PROVIDED UNDER PARAGRAPHS (3), (4), AND (5) OF THIS SUBSECTION, A WHOLESALER MAY SELL BEER ON CREDIT TO A RETAIL DEALER WHO HAS BEEN DOING BUSINESS FOR AT LEAST 2 YEARS.

(3) A WHOLESALER WHO EXTENDS CREDIT UNDER THIS SUBSECTION MAY ESTABLISH DIFFERENT PRICES FOR CASH AND CREDIT TRANSACTIONS.

(4) A TERM OF CREDIT EXTENDED UNDER THIS SUBSECTION MAY NOT

(Over)

EXCEED 10 DAYS, WITH NO GRACE PERIOD.

(5) (I) A WHOLESALER MAY NOT INTENTIONALLY DELIVER BEER TO A RETAIL DEALER TO WHOM ANY WHOLESALER HAS EXTENDED CREDIT UNDER THIS SUBSECTION AND WHO FAILS TO PAY THE BALANCE OWED OR MAKES A PAYMENT ON THE DEBT BY BAD CHECK.

(II) A WHOLESALER WHO VIOLATES THIS PARAGRAPH IS SUBJECT TO A FINE NOT EXCEEDING \$1,000 FOR EACH SUCH DELIVERY.

(6) THE BOARD OF LICENSE COMMISSIONERS MAY NOT TRANSFER OR RENEW THE ALCOHOLIC BEVERAGES LICENSE OF A RETAIL DEALER WHO HAS BEEN EXTENDED CREDIT UNDER THIS SUBSECTION AND WHO OWES A BALANCE ON THE DEBT AT THE TIME OF THE TRANSFER OR RENEWAL.

(7) A RETAIL DEALER WHO FAILS TO SATISFY A DEBT ON CREDIT EXTENDED UNDER THIS SUBSECTION ON THREE SEPARATE OCCASIONS WITHIN A SINGLE CALENDAR YEAR MAY NOT OBTAIN BEER ON CREDIT FOR A PERIOD OF 2 YEARS FROM THE TIME OF THE THIRD OCCURRENCE.

(8) THE STATE COMPTROLLER SHALL ENFORCE THE PROVISIONS OF THIS SUBSECTION.”;

and in line 10, strike “(c)” and substitute “(D)”.

AMENDMENT NO. 3

On page 2, in line 13, after “1996.” insert “It shall remain effective for a period of 2 years and, at the end of September 30, 1998, with no further action required by the General Assembly, this Act shall be abrogated and of no further force and effect.”.