

BY: Economic Matters Committee

AMENDMENTS TO HOUSE BILL NO. 972

(First 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”; and after line 11, insert:

“BY adding to

Article 2B - Alcoholic Beverages

Section 12-224.2

Annotated Code of Maryland

(1994 Replacement Volume and 1995 Supplement)”.

AMENDMENT NO. 2

On page 1, in line 26, strike “AND”.

On page 2, in lines 1 and 2, in each instance, strike the bracket; in line 3, strike “A” and substitute “EXCEPT AS PROVIDED IN SUBSECTION (C) OF THIS SECTION, A”; after line 4, insert:

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

(2) SUBJECT TO THE CONDITIONS AND RESTRICTIONS PROVIDED UNDER

(Over)

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 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 5, strike “(c)” and substitute “(D)”.

AMENDMENT NO. 3

On page 2, in line 8, after “1996.” insert “It shall remain effective for a period of two 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.”.