



House of Representatives

General Assembly

File No. 200

January Session, 2005

Substitute House Bill No. 6608

House of Representatives, April 6, 2005

The Committee on General Law reported through REP. STONE, C. of the 9th Dist., Chairperson of the Committee on the part of the House, that the substitute bill ought to pass.

AN ACT CONCERNING THE LIQUOR CONTROL ACT.

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

1 Section 1. Section 30-63 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective from passage*):

3 (a) No holder of any manufacturer, wholesaler or out-of-state
4 shipper's permit shall ship, transport or deliver within this state, or sell
5 or offer for sale, any alcoholic liquors unless the name of the brand,
6 trade name or other distinctive characteristic by which such alcoholic
7 liquors are bought and sold, the name and address of the manufacturer
8 thereof and the name and address of each wholesaler permittee who is
9 authorized by the manufacturer or [his] such manufacturer's
10 authorized representative to sell such alcoholic liquors are registered
11 with the Department of Consumer Protection and until such brand,
12 trade name or other distinctive characteristic has been approved by the
13 department. Such registration shall be valid for a period of three years.
14 The fee for such registration, or renewal thereof, shall be one hundred

15 dollars for out-of-state shippers and three dollars for Connecticut
16 manufacturers for each brand so registered, payable by the
17 manufacturer or [his] such manufacturer's authorized representative
18 when such liquors are manufactured in the United States and by the
19 importer or [his] such importer's authorized representative when such
20 liquors are imported into the United States. The department shall not
21 approve the brand registration of any fortified wine, as defined in
22 section 12-433, which is labeled, packaged or canned so as to appear to
23 be a wine or liquor cooler, as defined in section 12-433.

24 (b) No manufacturer, wholesaler or out-of-state shipper permittee
25 shall discriminate in any manner in price discounts between one
26 permittee and another on sales or purchases of alcoholic liquors
27 bearing the same brand or trade name and of like age, size and quality,
28 nor shall [he] such manufacturer, wholesaler or out-of-state shipper
29 permittee allow in any form any discount, rebate, free goods,
30 allowance or other inducement for the purpose of making sales or
31 purchases.

32 (c) [Each] For alcoholic liquor other than beer, each manufacturer,
33 wholesaler and out-of-state shipper permittee shall post with the
34 department, on a monthly basis, the bottle, can and case price [, and
35 for beer, the price per keg or barrel or fractional unit thereof,] of any
36 brand of goods offered for sale in Connecticut, which price when so
37 posted shall be the controlling price for such manufacturer, wholesaler
38 or out-of-state permittee for the month following such posting. For
39 beer, each manufacturer, wholesaler and out-of-state shipper permittee
40 shall post with the department, on a monthly basis, the bottle, can, and
41 case price, and the price per keg or barrel or fractional unit thereof of
42 any brand of goods offered for sale in Connecticut which price when
43 so posted shall be the controlling price for such brand of goods offered
44 for sale in this state, provided such permittee may post one additional
45 price for such bottle, can, case, keg or barrel or fractional unit thereof
46 during such month which price when so posted shall be the controlling
47 price for such bottle, can, case, keg or barrel or fractional unit thereof
48 for the remainder of such month. Notice of all manufacturer,

49 wholesaler and out-of-state shipper permittee prices shall be given to
 50 permittee purchasers by direct mail or advertising in a trade
 51 publication having circulation among the retail permittees except a
 52 wholesaler permittee may give such notice by hand delivery. Price
 53 postings with the department setting forth wholesale prices to retailers
 54 shall be available for inspection during regular business hours at the
 55 offices of the department by manufacturers and wholesalers until three
 56 o'clock p.m. of the first business day after the last day for posting
 57 prices. [A manufacturer or wholesaler may amend his posted price for
 58 any month to meet a lower price posted by another manufacturer or
 59 wholesaler with respect to alcoholic liquor bearing the same brand or
 60 trade name and of like age, vintage, quality and unit container size;
 61 provided that any such amended price posting shall be filed before
 62 three o'clock p.m. of the fourth business day after the last day for
 63 posting prices; and provided further such amended posting shall not
 64 set forth prices lower than those being met. Any manufacturer or
 65 wholesaler posting an amended price shall, at the time of posting,
 66 identify in writing the specific posting being met.]

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>from passage</i>	30-63

GL *Joint Favorable Subst.*

The following fiscal impact statement and bill analysis are prepared for the benefit of members of the General Assembly, solely for the purpose of information, summarization, and explanation, and do not represent the intent of the General Assembly or either House thereof for any purpose:

OFA Fiscal Note

State Impact:

Agency Affected	Fund-Effect	FY 06 \$	FY 07 \$
Consumer Protection, Dept.	GF - None	None	None

Note: GF=General Fund

Municipal Impact: None

Explanation

The bill allows beer manufacturers to post prices for two different parts of the month with the Department of Consumer Protection (DCP). The bill has no fiscal impact.

OLR Bill Analysis

sHB 6608

AN ACT CONCERNING THE LIQUOR CONTROL ACT**SUMMARY:**

The law requires beer manufacturers and wholesalers to post their prices for the following month with the Department of Consumer Protection (DCP). This bill allows them to post prices for two different parts of the month.

The law gives alcoholic beverage manufacturers and wholesalers three days to inspect each other's prices and lower their prices to meet, but not beat, a competitor's price. The bill eliminates this provision, thus prohibiting them from changing their posted prices.

EFFECTIVE DATE: Upon passage

BEER PRICE POSTING

The law requires beer manufacturers and wholesalers to post their bottle, can, case, keg, barrel, or fractional unit prices (*e.g.*, quarter kegs). The price, once posted, is the controlling price for the entire next month. The bill allows beer manufacturers and wholesalers during the month to post a second price. For example, a wholesaler could post a price for the first three weeks of the month and a second price for the final week.

AMENDED PRICE POSTING

The bill eliminates the law allowing alcoholic beverage manufacturers and wholesalers to amend their price posting for the following month to meet a lower price posted by another manufacturer or wholesaler for the same brand of like age, vintage, quality, and size. Under current law, the amended price cannot be lower than the price being met, which must be identified in writing. The deadline for posting an amended price is 3 p.m. of the fourth business day after the price posting deadline.

COMMITTEE ACTION

General Law Committee

Joint Favorable Substitute

Yea 14 Nay 1