



General Assembly

February Session, 2014

Raised Bill No. 5427

LCO No. 1858



Referred to Committee on GENERAL LAW

Introduced by:
(GL)

AN ACT CONCERNING UNTIMELY SHIPPING AND UNAUTHORIZED DELIVERIES BY ALCOHOLIC LIQUOR MANUFACTURERS AND OUT-OF-STATE SHIPPERS.

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

1 Section 1. Subsection (c) of section 30-63 of the general statutes is
2 repealed and the following is substituted in lieu thereof (*Effective July*
3 *1, 2014*):

4 (c) For alcoholic liquor other than beer, each manufacturer,
5 wholesaler and out-of-state shipper permittee shall post with the
6 department, on a monthly basis, the bottle, can and case price of any
7 brand of goods offered for sale in Connecticut, which price when so
8 posted shall be the controlling price for such manufacturer, wholesaler
9 or out-of-state permittee for the month following such posting. On and
10 after July 1, 2005, for beer, each manufacturer, wholesaler and out-of-
11 state shipper permittee shall post with the department, on a monthly
12 basis, the bottle, can and case price, and the price per keg or barrel or
13 fractional unit thereof for any brand of goods offered for sale in
14 Connecticut which price when so posted shall be the controlling price

15 for such brand of goods offered for sale in this state for the month
16 following such posting. Such manufacturer, wholesaler and out-of-
17 state shipper permittee may also post additional prices for such bottle,
18 can, case, keg or barrel or fractional unit thereof for a specified portion
19 of the following month which prices when so posted shall be the
20 controlling prices for such bottle, can, case, keg or barrel or fractional
21 unit thereof for such specified portion of the following month. Notice
22 of all manufacturer, wholesaler and out-of-state shipper permittee
23 prices shall be given to permittee purchasers by direct mail, posting on
24 an Internet web site or advertising in a trade publication having
25 circulation among the retail permittees, except that a wholesaler
26 permittee may give such notice by hand delivery. [Price postings]
27 Prices posted with the department [setting] that set forth wholesale
28 prices to retailers shall be available for inspection during regular
29 business hours at the offices of the department by manufacturers and
30 wholesalers until three o'clock p.m. of the first business day after the
31 last day for posting prices. A manufacturer or wholesaler may amend
32 such manufacturer's or wholesaler's posted price for any month to
33 meet a lower price posted by another manufacturer or wholesaler with
34 respect to alcoholic liquor bearing the same brand or trade name and
35 of like age, vintage, quality and unit container size, [; provided that
36 any] provided such amended price posting shall be filed before three
37 o'clock p.m. of the fourth business day after the last day for posting
38 prices, [;] and provided further such amended posting shall not set
39 forth prices lower than those being met. Any manufacturer or
40 wholesaler posting an amended price shall, at the time of posting,
41 identify in writing the specific posting being met. On and after July 1,
42 2005, all wholesaler postings, other than for beer, for the following
43 month shall be provided to retail permittees not later than the twenty-
44 seventh day of the month prior to such posting. All wholesaler
45 postings for beer shall be provided to retail permittees not later than
46 the twentieth day of the month prior to such posting. Each
47 manufacturer or out-of-state shipper shall deliver timely ordered
48 goods to a wholesaler permittee within the month or specified portion

49 of a month when the applicable price was posted and such goods were
50 ordered. If a manufacturer or out-of-state shipper, or its authorized
51 transporter, fails to deliver timely ordered goods to the wholesaler
52 within such month or specified portion of a month, the manufacturer
53 or out-of-state shipper shall honor the posted price for such goods
54 whenever they are delivered. No manufacturer or out-of-state shipper
55 shall deliver to a wholesaler or add to a pending order any quantity of
56 goods not affirmatively ordered in writing by the wholesaler. The
57 Department of Consumer Protection may suspend, revoke or refuse to
58 renew a manufacturer's or out-of-state shipper's permit pursuant to
59 section 30-47 if the manufacturer or out-of-state shipper does not issue
60 a credit to honor the posted price or accept the return of unordered
61 goods in accordance with this subsection within thirty days of
62 delivery.

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| This act shall take effect as follows and shall amend the following sections: | | |
| Section 1 | July 1, 2014 | 30-63(c) |

Statement of Purpose:

To prohibit untimely shipping and unauthorized deliveries of alcoholic liquor by manufacturers and out-of-state shippers.

[Proposed deletions are enclosed in brackets. Proposed additions are indicated by underline, except that when the entire text of a bill or resolution or a section of a bill or resolution is new, it is not underlined.]