

Stricken language would be deleted from and underlined language would be added to the law as it existed prior to this session of the General Assembly.

1 State of Arkansas  
2 87th General Assembly  
3 Regular Session, 2009

# A Bill

HOUSE BILL 1807

4  
5 By: Representative Ingram  
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## For An Act To Be Entitled

8  
9 AN ACT TO PROTECT ARKANSAS CONSUMERS; TO ENSURE  
10 CONSISTENT MANUFACTURER'S PRICING OF BEER, ALE,  
11 AND MALT BEVERAGES ACROSS THE STATE; AND FOR  
12 OTHER PURPOSES.  
13

## Subtitle

14  
15 AN ACT TO PROTECT ARKANSAS CONSUMERS AND  
16 TO ENSURE CONSISTENT MANUFACTURER'S  
17 PRICING OF BEER, ALE, AND MALT BEVERAGES  
18 ACROSS THE STATE.  
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21 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF ARKANSAS:  
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23 SECTION 1. Arkansas Code Title 3, Chapter 5, Subchapter 1 is amended  
24 to read as follows:

25 3-5-107. Unlawful pricing by brewers and manufacturers.

26 (a) As used in this section, "discriminate" means the granting of a  
27 more favorable price, allowance, rebate, refund, commission, discount, or  
28 service to one (1) Arkansas distributor or wholesaler than to another  
29 Arkansas distributor or wholesaler.

30 (b) It is unlawful for:

31 (1) A brewer, manufacturer, or other person, firm, or  
32 corporation engaging in the business of selling beer, ale, or other malt  
33 beverage or malt cooler to a distributor or wholesaler, to discriminate in  
34 price, allowance, rebate, refund, commission, discount or service between  
35 distributors or wholesalers licensed in Arkansas; or

36 (2)(A) A brewer or manufacturer or other person, firm or



1 corporation engaged in the business of selling beer, ale, or other malt  
2 beverage or malt cooler to a distributor or wholesaler, to sell or deliver  
3 beer, ale, or other malt beverage or malt cooler to a licensed distributor or  
4 wholesaler unless the brewer, manufacturer, person, firm, or corporation,  
5 files the brewery or dock price of the beer, ale, or other malt beverage or  
6 malt cooler by brand and container size with the Director of the Alcoholic  
7 Beverage Control Division.

8 (B) A brewery or dock price schedule shall not take effect  
9 until thirty (30) days after receipt of the brewery or dock price schedule by  
10 the director.

11 (c) A violation of this section by a brewer, manufacturer, or other  
12 person, firm, or corporation engaging in the business of selling beer, ale,  
13 or other malt beverage or malt cooler to a distributor or wholesaler is  
14 grounds for denial or suspension of the license of the brewer, manufacturer,  
15 or other person, firm, or corporation engaging in the business of selling  
16 beer, ale, or other malt beverage or malt cooler to a distributor or  
17 wholesaler or other penalties as determined by the director under § 3-2-212.

18 (d) The director shall adopt rules to implement this section.

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