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STATE OF RHODE ISLAND

IN GENERAL ASSEMBLY

JANUARY SESSION, A.D. 2013

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A N A C T

RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

Introduced By: Senators DiPalma, Ciccone, Raptakis, and Ottiano

Date Introduced: February 28, 2013

Referred To: Senate Special Legislation and Veterans Affairs

It is enacted by the General Assembly as follows:

1 SECTION 1. Section 3-7-22 of the General Laws in Chapter 3-7 entitled "Retail
2 Licenses" is hereby amended to read as follows:

3 **3-7-22. Manufacturer's or wholesaler's interest in retailer.** – (a) Except as otherwise
4 provided, it shall be unlawful for any holder of a manufacturer's or wholesaler's license to have
5 any direct or indirect interest in any retailer's license or in the business carried on under a
6 retailer's license. If by operation of law the holder of a manufacturer's or wholesaler's license
7 acquires an interest in a retailer's license, or in the business carried on under a retailer's license, he
8 or she shall within thirty (30) days after acquiring that interest report the interest to the
9 department and shall dispose of that interest in accordance with the directions of the department.
10 Any person willfully violating the provisions of this section shall forfeit his or her manufacturer's
11 license and his or her interest in the retailer's license.

12 **(b) Notwithstanding any rule or regulation or general law or public law to the contrary,**
13 **the holder of a license issued pursuant to section 3-6-1.1, et seq., located at 162 West Main Road,**
14 **Little Compton, Rhode Island may have a direct or indirect interest in a retailer's Class B license**
15 **or in the business carried on under a retailer's license; provided, that the holder: (i) When**
16 **permitted by law, does not exclude any competitor's brand of alcoholic beverages from its retail**
17 **operations; and (ii) Shall remain obligated to comply with section 3-7-18.**

18 SECTION 2. Section 3-1-6 of the General Laws in Chapter 3-1 entitled "General
19 Provisions" is hereby amended to read as follows:

1 **3-1-6. Severability.** – (a) Each section of this title and each part of each section is
2 declared to be a separable and independent section, and the holding of any section or sections or
3 part or parts of this title to be void, ineffective or unconstitutional for any cause, shall not be
4 deemed to affect any other section or part of this title.

5 (b) If any provision of this title, or its application to any person or circumstance, is
6 determined by a court to be invalid or unconstitutional, the remaining provisions and sections
7 shall be construed in accordance with the intent of the general assembly to limit rather than
8 expand commerce in alcoholic beverages and to enhance strict regulatory control over taxation,
9 distribution, and sale of alcoholic beverages through the three-tier regulatory system imposed by
10 this title upon all alcoholic beverages.

11 SECTION 3. This act shall take effect upon passage.

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EXPLANATION
BY THE LEGISLATIVE COUNCIL
OF
A N A C T
RELATING TO ALCOHOLIC BEVERAGES - RETAIL LICENSES

- 1 This act would allow the license holder licensed under section 3-6-1.1 located at 162
- 2 West Main Road, Little Compton Rhode Island to have an interest in a retailer's license.
- 3 This act would take effect upon passage.

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