

From: Damien Leonard
Sent: Tuesday, May 01, 2018 12:59 PM
To: Ron Wild
Subject: Re: 710 this afternoon

Not really, but there are several substantive/significant changes, which I have listed below:

- Added a provision that if a manufacturer does not have enough beer available to satisfy demand, it shall allocate beer to its customers in fair and equitable manner.
- Added language that prohibits a certificate of approval holder or manufacturer from requiring a wholesale dealer to agree to a condition, stipulation, or provision limiting the wholesale dealer's rights to sell the product of another manufacturer or certificate of approval holder.
- Added language that protects the transfer of a franchise to a family member from challenge by the manufacturer or certificate of approval holder.
- Added definitions of "total annual volume" and "total annual sales" to address the total amount of beer produced by a certificate of approval holder or manufacturer and the total amount distributed by a wholesale dealer. The wholesale dealer's language now includes beers distributed both in and out of state.
- Clarified the language that addresses how franchises can be cancelled.
- Added language providing that, if their franchise agreement does not provide otherwise, monetary compensation is a wholesale dealer's sole remedy for a no cause termination.
- Clarified the section related to transitions to written franchise agreements.
- Added a section describing the application of the act to existing and new franchise agreements.

Like I said, I am happy to answer questions by phone. Please let Tucker know if the bill is going to the floor this afternoon.

Best,

Damien