

# WEST VIRGINIA LEGISLATURE

REGULAR SESSION, 1969



## ENROLLED

HOUSE BILL No. 877

(By Mr. Watson)



PASSED March 8, 1969

In Effect Ninty days from Passage



FILED IN THE OFFICE  
JOHN D. ROCKEFELLER, IV  
SECRETARY OF STATE

THIS DATE 3-12-69

#877

**ENROLLED**  
**House Bill No. 877**  
(By MR. WATSON)

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[Passed March 8, 1969; in effect ninety days from passage.]

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AN ACT to amend article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, by adding thereto a new section, designated section thirteen-a, relating to unlawful acts of brewers, persons, firms or corporations engaged in the business of selling nonintoxicating beer, ale or other malt beverages to a wholesaler.

*Be it enacted by the Legislature of West Virginia:*

That article sixteen, chapter eleven of the code of West Virginia, one thousand nine hundred thirty-one, as amended, be amended by adding thereto a new section, designated section thirteen-a, to read as follows:

**ARTICLE 16. NONINTOXICATING BEER.**

**§11-16-13a. Unlawful acts of brewers; penalties.**

1     It shall be unlawful:

2     (a) For any brewer, or any other person, firm or cor-  
3     poration engaging in the business of selling nonintoxi-  
4     cating beer, ale or other malt beverage to a wholesaler,  
5     to discriminate in price, allowance, rebate, refund, com-  
6     mission, discount or service between distributors licensed  
7     in West Virginia. "Discriminate," as used in this section  
8     shall mean the granting of more favorable prices, allow-  
9     ances, rebates, refunds, commissions, discounts or services  
10    to one West Virginia distributor than to another.

11    (b) For any brewer, or any other person, firm or cor-  
12    poration engaging in the business of selling nonintoxi-  
13    cating beer, ale or other malt beverage to a wholesaler,  
14    to sell or deliver nonintoxicating beer, ale or other malt  
15    beverage to any licensed distributor unless and until such  
16    brewer, person, firm or corporation, as the case may be,  
17    shall have filed the brewery or dock price of such beer,  
18    ale or other malt beverage, by brands and container sizes,  
19    with the West Virginia nonintoxicating beer commis-

20 sioner. No price schedule shall be put into effect until  
21 three days after receipt of same by the commissioner.

22 The violation of any provision of this section by any  
23 brewer shall constitute grounds for the forfeiture of the  
24 bond furnished by such brewer in accordance with the  
25 provisions of section five of this article.

The Joint Committee on Enrolled Bills hereby certifies that the foregoing bill is correctly enrolled.

William Tompa  
Chairman Senate Committee

Clayton C. Davidson  
Chairman House Committee

Originated in the House.

Takes effect ninety days from passage.

Howard Myers  
Clerk of the Senate

C. A. Blankenship  
Clerk of the House of Delegates

Hayd B. Jackson  
President of the Senate

For F. Bransby  
Speaker House of Delegates

The within approved this the 17<sup>th</sup>  
day of March, 1969.

Arch A. Shreve Jr.  
Governor

PRESENTED TO THE  
GOVERNOR

Date 3/12/69

Time 2:45 p.m.