

House File 2277 - Introduced

HOUSE FILE 2277

BY COMMITTEE ON COMMERCE

(SUCCESSOR TO HSB 540)

A BILL FOR

1 An Act relating to prohibited conduct of a brewer with regard
2 to wholesaler agreements.

3 BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF IOWA:

1 Section 1. Section 123A.5, subsection 1, paragraph b, Code
2 2024, is amended to read as follows:

3 b. Require a wholesaler to assent to any unreasonable
4 requirement, condition, understanding, or term of an agreement
5 prohibiting a wholesaler from selling the product of another
6 brewer, or prohibiting a wholesaler from utilizing, or
7 requiring a wholesaler to utilize, a business-to-business
8 electronic commerce platform offered by a brewer. If a
9 wholesaler does utilize a business-to-business electronic
10 commerce platform offered by a brewer, the brewer shall not
11 request or receive any information related to a class "A" or
12 special class "A" beer permittee's sale of competitive products
13 on the business-to-business electronic commerce platform.

14 EXPLANATION

15 The inclusion of this explanation does not constitute agreement with
16 the explanation's substance by the members of the general assembly.

17 This bill prohibits a brewer from requiring a wholesaler
18 to assent to any unreasonable requirement, condition,
19 understanding, or term of an agreement prohibiting the
20 wholesaler from utilizing, or requiring the wholesaler
21 to utilize, a business-to-business electronic commerce
22 platform offered by a brewer. If a wholesaler utilizes a
23 business-to-business electronic commerce platform offered by
24 a brewer, the bill prohibits the brewer from requesting or
25 receiving any information related to a class "A" or special
26 class "A" beer permittee's sale of competitive products on the
27 platform. A brewer that violates the provisions of the bill is
28 subject to civil action by the aggrieved party pursuant to Code
29 section 123A.9.