

§453-C. Reselling agents

1. License to resell spirits purchased from the bureau. An agency liquor store may not resell spirits purchased from the bureau to a retail licensee licensed for on-premises consumption unless the agency liquor store is licensed as a reselling agent under this section. A reselling agent is prohibited from reselling spirits to a retail licensee licensed for on-premises consumption unless the spirits are purchased from the bureau.

[PL 2021, c. 658, §70 (AMD).]

2. License fee. The fee for a state license to resell spirits to a retail licensee licensed for on-premises consumption is \$50 annually.

[PL 2013, c. 269, Pt. C, §7 (AMD); PL 2013, c. 269, Pt. C, §13 (AFF).]

3. Off-site facility license. A licensed reselling agent may obtain a license to maintain an off-site facility for the storage and distribution of spirits as provided in this subsection.

A. The off-site facility may be used for the storage of spirits intended for sale to an on-premises licensee or to fulfill and distribute orders to an on-premises licensee. The sales of spirits to an on-premises licensee may be transacted at the licensed retail agency store or at the licensed off-site facility. [PL 2015, c. 434, §1 (AMD).]

B. The off-site facility must be equipped with a security system providing 24-hour response. [PL 2015, c. 434, §1 (AMD).]

C. A licensed reselling agent may have only one off-site facility, which may not be located further than 5 miles from the licensed retail agency store. [PL 2015, c. 434, §1 (AMD).]

D. The fee for an off-site facility license is \$100 annually. [PL 2015, c. 434, §1 (AMD).]
[PL 2015, c. 434, §1 (AMD).]

4. Reporting of spirits sales to on-premises licensees. Beginning October 15, 2016, a licensed reselling agent shall report on a monthly basis all spirits sales made to establishments licensed to sell spirits for on-premises consumption.

A. A report under this subsection must be made to a trade association contracted by the bureau to collect spirits sales data from reselling agents as described in section 84, subsection 6. [PL 2015, c. 430, §4 (NEW).]

B. The bureau shall ensure that reports under this subsection may be made by electronic transmission through a secure website established by the bureau. A reselling agent that is not reasonably able to use the website may submit a report under this subsection on paper or by using other methods approved by the bureau. [PL 2015, c. 430, §4 (NEW).]

C. The bureau may provide a stipend or reimbursement to reselling agents licensed and actively selling spirits to on-premises licensees as of July 1, 2016 to mitigate the costs of compliance with this subsection. [PL 2015, c. 430, §4 (NEW).]

D. The bureau may adopt rules regarding mitigating the costs incurred by reselling agents in complying with this subsection. Rules adopted pursuant to this paragraph are routine technical rules as defined by Title 5, chapter 375, subchapter 2-A. [PL 2015, c. 430, §4 (NEW).]
[PL 2015, c. 430, §4 (NEW).]

SECTION HISTORY

PL 2001, c. 711, §6 (NEW). PL 2003, c. 639, §1 (AMD). PL 2005, c. 539, §5 (AMD). PL 2013, c. 269, Pt. C, §§6, 7 (AMD). PL 2013, c. 269, Pt. C, §13 (AFF). PL 2013, c. 368, Pt. V, §32 (AMD). PL 2013, c. 476, Pt. B, §2 (AMD). PL 2013, c. 476, Pt. B, §6 (AFF). PL 2015, c. 430, §4 (AMD). PL 2015, c. 434, §1 (AMD). PL 2021, c. 658, §70 (AMD).

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