

## Department of Planning and Budget 2013 Fiscal Impact Statement

**1. Bill Number:** HB1587ER

<b>House of Origin</b>	<input type="checkbox"/> Introduced	<input type="checkbox"/> Substitute	<input type="checkbox"/> Engrossed
<b>Second House</b>	<input type="checkbox"/> In Committee	<input type="checkbox"/> Substitute	<input checked="" type="checkbox"/> Enrolled

**2. Patron:** Albo

**3. Committee:** Passed Both Houses

**4. Title:** Alcoholic beverage control; powers of Alcoholic Beverage Control Board to issue certain case decisions

**5. Summary:** The bill defines “*contemplated action*” as an action proposed by a brewery or wholesaler that (i) if carried out would violate any provision of §4.1-509 or subdivision 1 c (v) of §4.1-225 and (ii) is demonstrated by a specific written statement authored by a brewery or an employee of a wholesaler who is specifically authorized by virtue of job title and responsibility to make such statement and such other evidence as may be required by the Board to the facts of any given circumstance. In addition, any beer wholesaler may file a petition against a brewery, and any brewery may file a petition against a beer wholesaler, in which the petitioner alleges that the respondent named in the petition as a matter of past or present fact has violated or attempted to violate, or has contemplated action that if carried out would violate any provision of §4.1-509 or subdivision 1 c (v) of §4.1-225. The bill provides that the Board shall have the responsibility to promptly issue a written determination as to whether such violations or attempted violations have occurred or whether such violations would occur if such contemplated action of a named party were to be carried out. Further, the bill requires the party alleging the violation or potential violation to communicate with the alleged offending party in a good faith attempt to resolve the issue in question.

**6. Budget Amendment Necessary:** No

**7. Fiscal Impact Estimates:** Final (see Item 8)

**8. Fiscal Implications:** According to the Department of Alcoholic Beverage Control, this legislation is not expected to have a material fiscal impact on agency operations.

**9. Specific Agency or Political Subdivisions Affected:** Department of Alcoholic Beverage Control

**10. Technical Amendment Necessary:** No

**11. Other Comments:** None

**Date:** February 7, 2013

**Document:** G:\FY 2013 FIS\HB1587ER.Doc