

MAINE STATE LEGISLATURE

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132nd MAINE LEGISLATURE

FIRST REGULAR SESSION-2025

Legislative Document

No. 636

H.P. 404

House of Representatives, February 25, 2025

**An Act to Remove the Limit on Free Promotional Merchandise Bars
and Restaurants May Accept from Vendors**

Received by the Clerk of the House on February 20, 2025. Referred to the Committee on Veterans and Legal Affairs pursuant to Joint Rule 308.2 and ordered printed pursuant to Joint Rule 401.

A handwritten signature in cursive script that reads "Robert B. Hunt".

ROBERT B. HUNT
Clerk

Presented by Representative ARDELL of Monticello.

1 **Be it enacted by the People of the State of Maine as follows:**

2 **Sec. 1. 28-A MRSA §708, sub-§2**, as amended by PL 2021, c. 658, §100, is further
3 amended to read:

4 **2. Wholesale licensees.** A wholesale licensee may not offer to retail licensees any
5 special discounts, volume discounts, depletion allowances, other reduced prices or
6 discounts, or refunds except bona fide price reductions under section 1408 offered to all
7 retail licensees. A Except as provided in this section, a wholesale licensee may not offer
8 any free merchandise, rebate, refund or gift to a purchaser of malt liquor or wine.

9 **Sec. 2. 28-A MRSA §708, 2nd ¶**, as amended by PL 2021, c. 658, §100, is further
10 amended to read:

11 This section does not prohibit the unconditional distribution of merchandise to an
12 on-premises retail licensee from a licensed in-state or out-of-state manufacturer or
13 wholesaler of malt liquor or wine, a certificate of approval holder or a wholesale licensee
14 or to the patrons of an on-premises establishment.

15 **SUMMARY**

16 This bill allows the unconditional distribution of merchandise to an on-premises retail
17 licensee from a licensed in-state or out-of-state manufacturer or wholesaler of malt liquor
18 or wine, a certificate of approval holder or a wholesale licensee.