SENATE BILL NO. 433

INTRODUCED BY T. BECK

	IN THE SENATE
FEBRUARY 19, 1991	INTRODUCED AND REFERRED TO COMMITTEE
	FIRST READING. ON BUSINESS & INDUSTRY.
FEBRUARY 23, 1991	COMMITTEE RECOMMEND BILL DO PASS. REPORT ADOPTED.
FEBRUARY 25, 1991	PRINTING REPORT.
	SECOND READING, DO PASS.
FEBRUARY 26, 1991	ENGROSSING REPORT.
	THIRD READING, PASSED. AYES, 48; NOES, 1.
	TRANSMITTED TO HOUSE.
	IN THE HOUSE
MARCH 4, 1991	INTRODUCED AND REFERRED TO COMMITTEE ON BUSINESS & ECONOMIC DEVELOPMENT.
	FIRST READING.
MARCH 13, 1991	COMMITTEE RECOMMEND BILL BE CONCURRED IN. REPORT ADOPTED.
MARCH 16, 1991	SECOND READING, CONCURRED IN.
MARCH 18, 1991	THIRD READING, CONCURRED IN. AYES, 96; NOES, 0.
	RETURNED TO SENATE.
	IN THE SENATE
MARCH 19, 1991	RECEIVED FROM HOUSE.
	SENT TO ENROLLING.

REPORTED CORRECTLY ENROLLED.

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Montana Legislative Council

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	Grant 1/22
1	Single BILL NO. 433
2	INTRODUCED BY Buck
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4	A BILL FOR AN ACT ENTITLED: "AN ACT PROHIBITING THE USE OF
5	COERCION TO OBTAIN NEW MOTOR VEHICLE DEALERS' PARTICIPATION
6	IN ADVERTISING CAMPAIGNS OR SALES PROMOTIONS; AND AMENDING
7	SECTION 61-4-208, MCA."
В	
9	BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MONTANA:
10	Section 1. Section 61-4-208, MCA, is amended to read:
11	*61-4-208. Coercion prohibited. (1) A manufacturer of
12	new motor vehicles, factory branch, distributor, distributor
13	branch, importer, field representative, officer, agent, or
14	any representative thereof may not coerce or attempt to
15	coerce a new motor vehicle dealer to:
16	(1) accept delivery of a new motor vehicle, a part, or
17	an accessory therefor or any other commodity that has not
18	been ordered by the dealer;
19	(2) participate in or contribute to any local,
20	regional, or mational advertising fund or to participate in
21	or to contribute to contests, giveaways, or other sales
22	devices; or
23	(2)Amanufacturer;factorybranch;distributor;
24	distributor-branch;-importer;-field-representative;-officer;

or-agent-or-representative-thereof-may-not-coerce-or-attempt

2	(3)	enter	into a	n ag	reement	with	such	<u>a</u>	manu	factu	rer,
3	factory	brand	ch, c	listr	ibutor,	dis	stribu	tor	br	anch,	or
ļ	represen	tative	there	of or	do any	other	r act	u I	ıfair	to	the
;	dealer b	y:									
5	(a)	threat	tening	to	cancel	or	not	rene	ew a	franc	hise

to-coerce-a-new-motor-vehicle-dealer-to

- ise existing between the manufacturer, factory branch, distributor, distributor branch, or representative thereof and the dealer; or
- 10 (b) threatening to withhold, delay, or disrupt the receipt of new motor vehicles or any motor vehicle parts or 11 supplies ordered by the dealer from the manufacturer, 12 13 factory branch, distributor, distributor branch, importer, 14 or representative or agent thereof."

-End-

INTRODUCED BILL . -2- SB 433

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APPROVED BY COMM. ON BUSINESS & INDUSTRY

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1	Smote BILL NO. 433
2	INTRODUCED BY TBuk
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15	coerce a new motor vehicle dealer to:
16	(1) accept delivery of a new motor vehicle, a part, or
17	an accessory therefor or any other commodity that has no
18	been ordered by the dealer:
19	(2) participate in or contribute to any local
20	regional, or national advertising fund or to participate in
21	or to contribute to contests, giveaways, or other sales
22	devices; or
23	(2)Amanufacturer;factorybranch;distributor
24	distributor-branch;-importer;-field-representative;-officer

or-agent-or-representative-thereof-may-not-coerce-or-attempt



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2 (3) enter into an agreement with such a manufacturer,
3 factory branch, distributor, distributor branch, or
4 representative thereof or do any other act unfair to the
5 dealer by:

- (a) threatening to cancel or not renew a franchise existing between the manufacturer, factory branch, distributor, distributor branch, or representative thereof and the dealer; or
 - (b) threatening to withhold, delay, or disrupt the receipt of new motor vehicles or any motor vehicle parts or supplies ordered by the dealer from the manufacturer, factory branch, distributor, distributor branch, importer, or representative or agent thereof."

-End-

SECOND READING

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1	Single BILL NO. 433
2	INTRODUCED BY T-Back
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17	an accessory therefor or any other commodity that has not
18	been ordered by the dealer:
19	(2) participate in or contribute to any local,
20	regional, or national advertising fund or to participate in
21	or to contribute to contests, giveaways, or other sales
22	devices; or
23	(2)Amanufacturer;factorybranch;distributor;
24	distributor-branch;-importer;-field-representative;-officer;
25	Or-agent-or-representative-thereof-may-not-coerce-or-attempt

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1	to-coerce-a-new-motor-vehicle-dealer-to
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- 2 (3) enter into an agreement with such a manufacturer,
 3 factory branch, distributor, distributor branch, or
 4 representative thereof or do any other act unfair to the
 5 dealer by:
- 6 (a) threatening to cancel or not renew a franchise
 7 existing between the manufacturer, factory branch,
 8 distributor, distributor branch, or representative thereof
 9 and the dealer; or
- 10 (b) threatening to withhold, delay, or disrupt the
 11 receipt of new motor vehicles or any motor vehicle parts or
 12 supplies ordered by the dealer from the manufacturer,
 13 factory branch, distributor, distributor branch, importer,
 14 or representative or agent thereof."

-End-

THIRD READING

2- SB 433

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4	representative thereof or do any other act unfair to the
5	dealer by:
6	(a) threatening to cancel or not renew a franchise
7	existing between the manufacturer, factory branch,
8	distributor, distributor branch, or representative thereof
9	and the dealer; or
10	(b) threatening to withhold, delay, or disrupt the
11	receipt of new motor vehicles or any motor vehicle parts or
12	supplies ordered by the dealer from the manufacturer,
13	factory branch, distributor, distributor branch, importer,

to-coerce-a-new-motor-vehicle-dealer-to

or representative or agent thereof."

-End-

REFERENCE BILL