



General Assembly

January Session, 2019

Committee Bill No. 419

LCO No. 5946



Referred to Committee on TRANSPORTATION

Introduced by:
(TRA)

AN ACT PROHIBITING GASOLINE ZONE PRICING.

Be it enacted by the Senate and House of Representatives in General Assembly convened:

1 Section 1. Section 16a-23 of the general statutes is repealed and the
2 following is substituted in lieu thereof (*Effective October 1, 2019*):

3 (a) No person engaged in the business of refining petroleum into
4 gasoline and furnishing gasoline to retail distributors of gasoline for
5 sale to the public in this state shall fail to furnish gasoline to
6 independent retail distributors of gasoline in this state, whether or not
7 franchised by such person, at wholesale prices in reasonable quantities
8 as long as [he] such person continues to furnish gasoline to retail
9 distributors of gasoline in this state which are wholly owned by [him]
10 such person or operated under a franchise granted by [him] such
11 person.

12 (b) It shall constitute, prima facie, a violation of the provisions of
13 subsection (a) of this section for any such person (1) during any
14 calendar month beginning after July 1, 1973, to deliver to independent
15 retail distributors of gasoline in this state a percentage of the total
16 gallons of gasoline delivered by [him] such person to all retail

17 distributors of gasoline in this state during that month which is lower
18 than the percentage of the total gallons of gasoline delivered by [him]
19 such person to all retail distributors of gasoline in this state during the
20 period from July 1, 1971, to June 30, 1972, which was delivered by
21 [him] such person to independent retail distributors of gasoline in this
22 state during that period, or (2) to sell gasoline to independent retail
23 distributors of gasoline in this state at a price during any such month
24 which is greater than (A) the average price at which [he] such person
25 sold gasoline to such distributors during the period from July 1, 1971,
26 to June 30, 1972, increased by (B) a percentage equal to the percentage
27 by which the average price for gasoline sold during that month to
28 retail distributors of gasoline which are wholly owned by, or operated
29 under a franchise granted by, that person exceeds the average price for
30 gasoline sold to such distributors during the period from July 1, 1971,
31 to June 30, 1972.

32 (c) No producer or refiner of petroleum products who is subject to
33 the provisions of section 14-344a and furnishes gasoline to retail
34 distributors of gasoline for sale to the public in this state shall use a
35 pricing system under which the wholesale price paid for such gasoline
36 by such retail distributor is determined based on the geographic
37 location of such retail distributor in this state, or any other system that
38 would prevent retail distributors of gasoline from paying lower prices
39 on an equal basis with other retail distributors of gasoline in this state.
40 Any such producer or refiner shall not discriminate in the price of such
41 gasoline charged to retail distributors of gasoline in this state, except to
42 offer discounts or rebates that may be determined by such producer or
43 refiner from time to time. Such discounts or rebates shall be disclosed
44 by such producer or refiner to the retail distributors and shall be
45 offered by such producer or refiner to all of its retail distributors on
46 equal terms and conditions. When offered, all such discounts or
47 rebates and the time period they are offered shall be listed as a
48 separate line item entry on each invoice of the producer or refiner.

49 [(c)] (d) A violation of the provisions of subsection (a) or (c) of this

50 section constitutes an unfair trade practice within the provisions of
51 chapter 735a.

This act shall take effect as follows and shall amend the following sections:		
Section 1	<i>October 1, 2019</i>	16a-23

TRA

Joint Favorable C/R

GL