
DIGEST

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HB 800 Original

2026 Regular Session

Knox

Abstract: Regulates grocery pricing by providing that grocery suppliers shall offer the same terms of sale on a volume unit basis to all retailers and wholesalers, regardless of size, within the same relative time period.

Proposed law provides for a short title.

Proposed law defines "channels of trade", "covered goods", "covered retailer", "covered supplier", "covered wholesaler", "dominant covered retailer", "person", "pricing differential", "same covered good", "same terms of sale", "terms of sale", and "volume unit basis".

Proposed law provides that a covered supplier shall not, directly or through an agent, fail to extend the same terms of sale of a covered good to all covered retailers and covered wholesalers that purchase the covered good on the same volume unit basis in reasonably contemporaneous sales.

Proposed law provides that a covered supplier shall not fail to provide, within 14 days of a written request from a covered retailer or covered wholesaler that has purchased a covered good or received an offer including terms of sale for a covered good from the covered supplier, directly or through an agent, the anonymized terms of sale from all contracts with dominant covered retailers that purchased the same covered good on the same volume unit basis during the 180 day period prior to the date on which the purchase or offer including terms of sale was made.

Proposed law provides that a covered supplier shall not, directly or through an agent, refuse the sale of a covered good to a covered retailer or a covered wholesaler if all of the following conditions are met:

- (1) The covered retailer is not a dominant covered retailer.
- (2) The covered retailer or the covered wholesaler has made and completed payment for purchases from the covered supplier within the previous twelve months.
- (3) The covered retailer or the covered wholesaler has made a request of the covered supplier to provide to the retailer or wholesaler the same terms of sale provided to other covered retailers or covered wholesalers, consistent with the provisions of proposed law.
- (4) The refusal by the covered supplier to sell a covered good to the covered retailer or covered wholesaler has no commercially reasonable justification.

Proposed law provides that a dominant covered retailer, or its purchasing agent or any third party through which a dominant covered retailer contracts to purchase covered goods, shall not directly or indirectly take any action that the dominant covered retailer, purchasing agent, or third party intends, knows, or should know will coerce or induce a covered supplier to violate the provisions of proposed law.

Proposed law provides for the liability of mandataries.

Proposed law provides for defenses to liability by showing:

- (1) Any difference in the terms of sale was predominantly attributable to a covered retailer engaging in self-distribution of the covered good at issue or otherwise lowering the overall costs of the covered supplier through genuine efficiencies including but not limited to economies in distribution or manufacturing.
- (2) A covered retailer, in exchange for commercially reasonable consideration, voluntarily accepted terms of sale relating to a covered good that were not the same terms of sale as the terms of sale offered to another covered retailer.
- (3) The terms of sale applied only in cases in which there was an actual or imminent deterioration of perishable goods, obsolescence of seasonal goods, distress sales under court process, or sales in good faith in discontinuance of business in the goods concerned.

Proposed law provides for enforcement by the attorney general, and for civil penalties.

Proposed law provides for rules of construction.

Effective upon signature of the governor.

(Adds R.S. 51:3301-3308)