

1-1 By: Hernandez (Senate Sponsor - Menéndez) H.B. No. 3712
 1-2 (In the Senate - Received from the House May 4, 2023;
 1-3 May 5, 2023, read first time and referred to Committee on State
 1-4 Affairs; May 19, 2023, reported favorably by the following vote:
 1-5 Yeas 8, Nays 1; May 19, 2023, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11			X	
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16		X		
1-17	X			
1-18			X	

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to authorizing a holder of a distributor's license to
 1-22 provide samples of malt beverages to retailers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 102.02, Alcoholic Beverage Code, is
 1-25 amended to read as follows:

1-26 Sec. 102.02. PROVIDING SAMPLES. (a) Notwithstanding any
 1-27 other provision of this code, the holder of a wholesaler's permit or
 1-28 distributor's license or the holder's agent, representative, or
 1-29 employee may furnish or give a sample of liquor or malt beverages to
 1-30 a holder of a permit or license authorizing the sale of that
 1-31 category of alcoholic beverage at retail if the retail permittee or
 1-32 licensee has not previously purchased that brand from that
 1-33 wholesaler permittee or distributor licensee.

1-34 (b) The liquor or malt beverages provided as a sample under
 1-35 Subsection (a) [wholesaler] may [give the retail permittee] not be
 1-36 more than:

1-37 (1) 750 milliliters of any brand of distilled spirits;
 1-38 (2) [~~not more than~~] three liters of any brand of
 1-39 wine; and

1-40 (3) 72 ounces [~~in that package, and not more than one~~
 1-41 ~~six-pack~~] of any brand of malt [~~other alcoholic~~] beverage [~~so~~
 1-42 ~~packaged~~].

1-43 (c) The holder of a retail permit or license authorizing the
 1-44 sale of liquor or malt beverages [permittee] or the permittee's or
 1-45 licensee's agent, servant, or employee may sample the alcoholic
 1-46 beverage provided under Subsection (a) [the product] on the
 1-47 permitted or licensed retail [licensed] premises only if:

1-48 (1) the holder of the wholesaler's permit or
 1-49 distributor's license is present; [wholesaler] or

1-50 (2) the wholesaler's or distributor's agent, servant,
 1-51 or employee is present.

1-52 SECTION 2. This Act takes effect September 1, 2023.

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