

1-1 By: Parker S.B. No. 1375
 1-2 (In the Senate - Filed March 1, 2023; March 16, 2023, read
 1-3 first time and referred to Committee on State Affairs;
 1-4 April 12, 2023, reported favorably by the following vote: Yeas 11,
 1-5 Nays 0; April 12, 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 the sampling or tasting of distilled spirits by the
 1-22 manufacturer to a consumer at a temporary event.

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

1-24 SECTION 1. Section 14.01(a), Alcoholic Beverage Code, is
 1-25 amended to read as follows:

1-26 (a) The holder of a distiller's and rectifier's permit may:
 1-27 (1) manufacture distilled spirits;
 1-28 (2) rectify, purify, and refine distilled spirits and
 1-29 wines;

1-30 (3) mix wines, distilled spirits, or other liquors;
 1-31 (4) bottle, label, and package the permit holder's
 1-32 finished products;

1-33 (5) sell the finished products in this state to
 1-34 holders of wholesaler's permits and to qualified persons outside
 1-35 the state;

1-36 (6) purchase distilled spirits, to be used only for
 1-37 manufacturing or rectification purposes, from holders of
 1-38 nonresident seller's permits or distiller's and rectifier's
 1-39 permits;

1-40 (7) dispense free distilled spirits for consumption on
 1-41 the permitted premises under Section 14.04 or at a temporary event
 1-42 under Section 14.09;

1-43 (8) sell bulk alcohol produced by the permit holder
 1-44 for purposes described by Section 38.01; and

1-45 (9) sell distilled spirits to ultimate consumers under
 1-46 Section 14.04 or 14.05.

1-47 SECTION 2. Chapter 14, Alcoholic Beverage Code, is amended
 1-48 by adding Section 14.09 to read as follows:

1-49 Sec. 14.09. DISTILLED SPIRITS SAMPLING AT TEMPORARY EVENT.

1-50 (a) The holder of a distiller's and rectifier's permit may conduct
 1-51 distilled spirits samplings or tastings at a civic or distilled
 1-52 spirits festival, farmers' market, celebration, or similar event.

1-53 (b) The distilled spirits provided as a sample or at a
 1-54 tasting under Subsection (a) must be manufactured by the holder of
 1-55 the distiller's and rectifier's permit.

1-56 (c) Sample portions served at a distilled spirits sampling
 1-57 or tasting under Subsection (a) may not exceed one-half ounce.

1-58 (d) A person who receives a sample may not remove the sample
 1-59 from the event premises.

1-60 (e) Distilled spirits may legally be transported by the
 1-61 holder of the distiller's and rectifier's permit or the permit

2-1 holder's agent or employee to the temporary event for the purpose of
2-2 providing a sample or a tasting under this section.

2-3 (f) The cost of the distilled spirits provided for a
2-4 sampling or tasting under this section is the responsibility of the
2-5 holder of the distiller's and rectifier's permit providing the
2-6 sampling or tasting.

2-7 (g) The commission shall adopt rules to implement this
2-8 section, including rules that:

2-9 (1) establish a procedure to verify the wet or dry status of
2-10 the location where the permit holder intends to temporarily sample
2-11 or taste distilled spirits under this section;

2-12 (2) detail the circumstances when a permit holder may
2-13 temporarily sample distilled spirits under this section with just a
2-14 notification to the commission and the circumstances that require
2-15 the commission's preapproval before a permit holder may temporarily
2-16 sample distilled spirits under this section; and

2-17 (3) require the permit holder to provide any other
2-18 information the commission determines necessary.

2-19 SECTION 3. This Act takes effect September 1, 2023.

2-20 * * * * *