

By: Homer

H.B. No. 2112

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the liability of an employer for actions of an employee
3 in the sale, service, dispensing, or delivery of alcoholic
4 beverages.

5 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

6 SECTION 1. Section 106.14(a), Alcoholic Beverage Code, is
7 amended to read as follows:

8 (a) For purposes of this chapter and any other provision of
9 this code relating to the sales, service, dispensing, or delivery
10 of alcoholic beverages to a person who is not a member of a private
11 club on the club premises, a minor, or an intoxicated person or the
12 consumption of alcoholic beverages by a person who is not a member
13 of a private club on the club premises, a minor, or an intoxicated
14 person, the actions of an employee shall not be attributable to the
15 employer if:

16 (1) the employer requires its employees to attend a
17 commission-approved seller training program;

18 (2) the employee has actually attended such a training
19 program; and

20 (3) the employer has not directly or indirectly
21 encouraged the employee to violate such law.

22 SECTION 2. This Act takes effect September 1, 2003, and
23 applies only to the sale, service, dispensing, delivery, or
24 consumption of alcoholic beverages on or after the effective date

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1 of this Act.