

1-1 By: Homer (Senate Sponsor - Brimer) H.B. No. 2112
1-2 (In the Senate - Received from the House May 5, 2003;
1-3 May 7, 2003, read first time and referred to Committee on Business
1-4 and Commerce; May 21, 2003, reported favorably by the following
1-5 vote: Yeas 9, Nays 0; May 21, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to the liability of an employer for actions of an employee
1-9 in the sale, service, dispensing, or delivery of alcoholic
1-10 beverages.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Section 106.14(a), Alcoholic Beverage Code, is
1-13 amended to read as follows:

1-14 (a) For purposes of this chapter and any other provision of
1-15 this code relating to the sales, service, dispensing, or delivery
1-16 of alcoholic beverages to a person who is not a member of a private
1-17 club on the club premises, a minor, or an intoxicated person or the
1-18 consumption of alcoholic beverages by a person who is not a member
1-19 of a private club on the club premises, a minor, or an intoxicated
1-20 person, the actions of an employee shall not be attributable to the
1-21 employer if:

1-22 (1) the employer requires its employees to attend a
1-23 commission-approved seller training program;

1-24 (2) the employee has actually attended such a training
1-25 program; and

1-26 (3) the employer has not directly or indirectly
1-27 encouraged the employee to violate such law.

1-28 SECTION 2. This Act takes effect September 1, 2003, and
1-29 applies only to the sale, service, dispensing, delivery, or
1-30 consumption of alcoholic beverages on or after the effective date
1-31 of this Act.

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