

By: Homer

H.B. No. 937

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing a nonresident seller to conduct wine
3 samplings.

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

5 SECTION 1. Section 36.05, Alcoholic Beverage Code, is
6 amended to read as follows:

7 Sec. 36.05. SAMPLES. (a) Except as provided by Subsection
8 (b), the ~~[The]~~ holder of a manufacturer's agent's permit may not
9 transport or carry liquor as samples, but may carry or display empty
10 sample containers.

11 (b) The holder of a manufacturer's agent's permit may
12 transport samples of wine for a wine sampling under Section 37.01.

13 SECTION 2. Section 37.01, Alcoholic Beverage Code, is
14 amended to read as follows:

15 Sec. 37.01. AUTHORIZED ACTIVITIES. (a) The holder of a
16 nonresident seller's permit may:

17 (1) solicit and take orders for liquor from permittees
18 authorized to import liquor into this state;

19 (2) ship liquor into this state, or cause it to be
20 shipped into this state, in consummation of sales made to
21 permittees authorized to import liquor into the state.

22 (b) The holder of a nonresident seller's permit who owns a
23 winery outside of the state may conduct wine samplings, including
24 wine tastings, at a retailer's premises. An employee of the winery

1 may open, touch, or pour wine, make a presentation, or answer
2 questions at a wine sampling.

3 SECTION 3. This Act takes effect September 1, 2005.