

By: Flores

H.B. No. 2727

A BILL TO BE ENTITLED

AN ACT

1
2 relating to certain promotional activities of certain alcoholic
3 beverage permit holders.

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

5 SECTION 1. Section 102.02, Alcoholic Beverage Code, is
6 amended to read as follows:

7 Sec. 102.02. PROVIDING SAMPLES. Notwithstanding any other
8 provision of this code, the holder of a wholesaler's or nonresident
9 seller's permit or the holder's agent, representative, or employee
10 may furnish or give a sample of liquor to a holder of a permit
11 authorizing the sale of that category of alcoholic beverage at
12 retail if the retail permittee has not previously purchased that
13 brand from that wholesaler or nonresident seller [~~permittee~~]. The
14 wholesaler or nonresident seller may give the retail permittee not
15 more than 750 milliliters of any brand of distilled spirits, not
16 more than three liters of any brand of wine in that package, and not
17 more than one six-pack of any other alcoholic beverage so packaged.
18 The retail permittee or the permittee's agent, servant, or employee
19 may sample the product on the licensed premises only if the
20 wholesaler, the nonresident seller, or the wholesaler's or
21 nonresident seller's agent, servant, or employee is present.

22 SECTION 2. Sections 36.06 and 37.13, Alcoholic Beverage
23 Code, are repealed.

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