

1-1 By: Whitmire S.B. No. 1472
1-2 (In the Senate - Filed March 10, 2005; March 21, 2005, read
1-3 first time and referred to Committee on Business and Commerce;
1-4 April 20, 2005, reported favorably by the following vote: Yeas 7,
1-5 Nays 0; April 20, 2005, sent to printer.)

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

1-8 relating to services provided by manufacturers and distributors of
1-9 beer to beer retailers.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 108.04, Alcoholic Beverage Code, is
1-12 amended to read as follows:

1-13 Sec. 108.04. ACTS OF PROMOTIONAL OR COURTESY NATURE:
1-14 ADMINISTRATIVE DISCRETION. The commission may promulgate rules
1-15 which shall set definite limitations consistent with the general
1-16 provisions of this code, relaxing the restrictions of Sections
1-17 102.07, 102.14, 102.15, and 108.06, with respect to:

1-18 (1) the sale or gift of novelties advertising the
1-19 product of a manufacturer or distributor;

1-20 (2) the making of gifts to civic, religious, or
1-21 charitable organizations;

1-22 (3) the cleaning and maintenance of beer [~~coil~~
1-23 ~~connections for dispensing~~] draught systems [~~beer~~];

1-24 (4) the lending of equipment for special occasions;
1-25 and

1-26 (5) acts of a purely courtesy nature.

1-27 SECTION 2. Subchapter A, Chapter 108, Alcoholic Beverage
1-28 Code, is amended by adding Section 108.041 to read as follows:

1-29 Sec. 108.041. CLEANING SERVICE PROVIDED TO RETAILERS.

1-30 (a) A manufacturer or distributor of beer may provide coil
1-31 cleaning service, including carbon dioxide filters, to beer
1-32 retailers for the purposes described under Section 108.04(3).

1-33 (b) The cost of providing the carbon dioxide filters shall
1-34 be borne by the manufacturer.

1-35 SECTION 3. The Texas Alcoholic Beverage Commission shall
1-36 adopt rules implementing Section 108.041, Alcoholic Beverage Code,
1-37 as added by this Act, not later than January 1, 2006.

1-38 SECTION 4. This Act takes effect September 1, 2005.

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