

By: Farrar

H.B. No. 1926

A BILL TO BE ENTITLED

AN ACT

1
2 relating to authorizing certain brewers and manufacturers to sell
3 beer and ale to ultimate consumers.

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

5 SECTION 1. Section 12.05, Alcoholic Beverage Code, is
6 amended to read as follows:

7 Sec. 12.05. SALES BY CERTAIN BREWERS. (a) The holder of a
8 brewer's permit whose annual production of ale in this state does
9 not exceed, together with the annual production of beer by the
10 holder of a manufacturer's license acting under the authority of
11 Section 62.12 [~~of this code~~] at the same premises, a total of 75,000
12 barrels, may:

13 (1) sell ale produced under the permit to those
14 persons to whom the holder of a general class B wholesaler's permit
15 may sell malt liquor under Section 20.01(3); and

16 (2) subject to Subsection (c), sell ale to ultimate
17 consumers:

18 (A) for consumption on the brewer's premises; or
19 (B) in unbroken packages for off-premises
20 consumption [~~of this code~~].

21 (b) With regard to [~~such~~] a sale under Subsection (a)(1),
22 the brewer has the same authority and is subject to the same
23 requirements that apply to a sale made by the holder of a general
24 class B wholesaler's permit.

1 (c) Sales of ale under Subsection (a)(2), together with the
2 sales of beer by the holder of a manufacturer's license acting under
3 the authority of Section 62.12(a)(2) at the same premises, may not
4 exceed 5,000 barrels annually.

5 SECTION 2. Section 62.12, Alcoholic Beverage Code, is
6 amended to read as follows:

7 Sec. 62.12. SALES BY CERTAIN MANUFACTURERS. (a) A
8 manufacturer's licensee whose annual production of beer in this
9 state, together with the annual production of ale by the holder of a
10 brewer's permit acting under the authority of Section 12.05 at the
11 same premises, does not exceed 75,000 barrels may:

12 (1) sell beer produced under the license to those
13 permittees, licensees, and persons to whom a general distributor's
14 licensee may sell beer under Section 64.01(a)(2); and

15 (2) subject to Subsection (a-2), sell beer to ultimate
16 consumers:

17 (A) for consumption on the manufacturer's
18 premises; or

19 (B) in unbroken packages for off-premises
20 consumption [64.01(2) of this code].

21 (a-1) With regard to [such] a sale under Subsection (a)(1),
22 the manufacturer has the same authority and is subject to the same
23 requirements as apply to a sale made by a general distributor's
24 licensee.

25 (a-2) Sales of beer under Subsection (a)(2), together with
26 the sales of ale by the holder of a brewer's permit acting under the
27 authority of Section 12.05(a)(2) at the same premises, may not

1 exceed 5,000 barrels annually.

2 (b) The authority granted by this section is additional to
3 that granted by Section 62.01 [~~of this code~~].

4 SECTION 3. This Act takes effect September 1, 2007.