

By: Miles

H.B. No. 3124

Substitute the following for H.B. No. 3124:

By: Hamilton

C.S.H.B. No. 3124

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the quantity of beer or malt liquor a distributor or
3 wholesaler may withdraw from a retailer.

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

5 SECTION 1. Section 104.05(e), Alcoholic Beverage Code, is
6 amended to read as follows:

7 (e) To assure and control product quality, the holder of a
8 distributor's license, wholesaler's permit, or class B wholesaler's
9 permit, at the time of a regular delivery, may withdraw, with the
10 permission of the retailer, a quantity of beer, ale, or malt liquor
11 in its undamaged original packaging from the retailer's stock, if:

12 (1) the distributor, wholesaler, or class B wholesaler
13 replaces the stock with beer, ale, or malt liquor of identical
14 brands, quantities, and packages as the beer, ale, or malt liquor
15 withdrawn;

16 (2) the stock is withdrawn before the date considered
17 by the manufacturer of the product to be the date the product
18 becomes inappropriate for sale to a consumer; and

19 (3) the quantity of stock withdrawn does not exceed
20 the equivalent of 25 [~~15~~] cases of 24 12-ounce containers.

21 SECTION 2. This Act takes effect September 1, 2007.