

By: Miles

H.B. No. 3124

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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the stock with beer, ale, or malt liquor of identical brands, quantities, and packages as the beer, ale, or malt liquor withdrawn;

(2) the stock is withdrawn before the date considered by the manufacturer of the product to be the date the product becomes inappropriate for sale to a consumer; and

(3) the quantity of stock withdrawn does not exceed the equivalent of 50 [~~15~~] cases of 24 12-ounce containers.

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