

BILL ANALYSIS

H.B. 2104
By: Geren
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Current law under Chapter 102, Alcoholic Beverage Code, allows for a two-year statute of limitations. A civil action brought before the San Antonio Court of Appeals raised uncertainty about this statute of limitations. It was assumed that the issue was a contract dispute, allowing four years to bring action. The court ruled that the action should be treated as a tort, however, and was therefore subject to a two-year statute of limitation.

H.B. 2104 amends the Alcoholic Beverage Code to require that any suit brought under Chapter 102, Alcoholic Beverage Code, must be brought not later than four years after the date the cause of action accrues.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2104 amends the Alcoholic Beverage Code to require a person to bring suit on an action relating to an intra-industry relationship not later than four years after the date the cause of action accrues.

EFFECTIVE DATE

September 1, 2009.