

By: Lucio

S.B. No. 2580

A BILL TO BE ENTITLED

AN ACT

relating to actions under the Beer Industry Fair Dealing Law.

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

SECTION 1. Subchapter A, Chapter 102, Alcoholic Beverage Code, is amended by adding Section 102.21 to read as follows:

Sec. 102.21 CONTINUITY OF CERTAIN PROTECTIONS FOR BEER DISTRIBUTORS. The protections provided to beer distributors by Subchapters C and D apply regardless of whether there is a transfer or change of ownership of a brand at the manufacturing level.

SECTION 2. Section 102.21, Alcoholic Beverage Code, as added by this Act, is not intended to change the law but is intended to affirm the policy of this state that the protections provided to beer distributors by Subchapters C and D, Alcoholic Beverage Code, apply to a distributor regardless of whether there is a transfer or change of ownership of a brand in the manufacturing tier.

SECTION 3. Subchapter D, Chapter 102, Alcoholic Beverage Code, is amended by adding Section 102.82 to read as follows:

Sec. 102.82. STATUTE OF LIMITATIONS. A person must bring suit on an action arising under this chapter not later than four years after the day the cause of action accrues. If a termination related to a change in ownership of the brand occurs, the cause of action accrues when either the new brand owner or the transferring or selling brand owner provides notice of termination to the distributor.

1 SECTION 4. The change in law made by this Act applies only
2 to a cause of action that accrues on or after the effective date of
3 this Act. A cause of action that accrues before the effective date
4 of this Act is governed by the law in effect immediately before that
5 date, and that law is continued in effect for that purpose.

6 SECTION 5. This Act takes effect September 1, 2009.