

BILL ANALYSIS

Senate Research Center
82R8545 MCK-F

S.B. 890
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Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Wine kegs are increasingly being used by restaurants and other establishments for by-the-glass pours. These dispensers have coils that need to be maintained. Kegs need to be replaced more frequently when the coils have not been cleaned. While the wholesaler retains ownership of the wine keg used at the establishments, statute prevents them from entering the establishment to clean and maintain them.

The proposed legislation amends Section 108.042, Alcoholic Beverage Code, to allow the holder of a wholesaler's, general class B wholesaler's, or local class B wholesaler's permit or the permit holder's agent to perform the cleaning and maintenance of coil connections for the dispensing of wine.

As proposed, S.B. 890 amends current law relating to certain promotional activities for certain alcoholic beverage permit holders.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Alcoholic Beverage Commission in SECTION 1 (Section 108.042, Alcoholic Beverage Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Subchapter A, Chapter 108, Alcoholic Beverage Code, by adding Section 108.042, as follows:

Sec. 108.042. ACTS OF PROMOTIONAL OR COURTESY NATURE: WINE DISPENSING. Requires the Texas Alcoholic Beverage Commission (TABC) to adopt rules that set definite limitations consistent with general provisions of this code, relaxing the restrictions of Section 102.07 (Prohibited Dealings with Retailer or Consumer) to allow the holder of a wholesaler's, general class B wholesaler's, or local class B wholesaler's permit or the permit holder's agent to perform the cleaning and maintenance of coil connections for the dispensing of wine.

SECTION 2. Effective date: September 1, 2011.