

## **BILL ANALYSIS**

H.B. 2114  
By: Gutierrez  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Alcoholic beverage wholesalers currently are prohibited from selling equipment, fixtures, or supplies used in the selling or dispensing of alcoholic beverages to a mixed beverage permittee. Interested parties contend that this prohibition was designed as a measure to prevent one tier of the industry from unduly gaining control over another tier and that a recent relaxation of the law that allowed wholesalers to sell glassware to bars and restaurants has shown that the sale of other products by wholesalers to bars and restaurants presents no danger to the three-tier system.

H.B. 2114 seeks to allow the holder of a wholesaler's permit the ability to sell equipment, fixtures, or supplies used in the selling or dispensing of distilled spirits to mixed beverage retailers.

### **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. 2114 amends the Alcoholic Beverage Code to authorize the holder of a wholesaler's permit to sell to mixed beverage and private club registration permittees any equipment, fixtures, or supplies used in the selling or dispensing of distilled spirits if the equipment, fixtures, or supplies are not marketed or sold in a manner that influences the permittee to purchase any quantity of alcoholic beverages, affects the terms by which the permittee may purchase alcoholic beverages, or threatens the independence of the permittee.

### **EFFECTIVE DATE**

September 1, 2013.