BILL ANALYSIS

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law requires payment on purchases of liquor made from the 1st through the 15th day of a month to be made on or before the 25th day of the month and requires payment on purchases made on the 16th through the last day of the month to be made on or before the 10th day of the following month. The law also prohibits a wholesale dealer from selling any liquor to a retailer who is delinquent until the delinquent account is paid in full. Interested parties report that in order to facilitate enforcement of this law, the Texas Alcoholic Beverage Commission publishes information regarding delinquent accounts. The parties maintain that there have been indications of a need to publish the final information on the respective payment due date. The parties have raised concerns that this would not allow time for on-time payments to be received that were sent by mail and would not allow for corrections to be made between the due date and the date the information becomes final.

H.B. 2806 amends current law relating to delinquent payment of an alcoholic beverage retailer's account for liquor.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 102.32(c), Alcoholic Beverage Code, as follows:

> (c) Requires that payment, on purchases made from the 1st through 15th day of a month, be made on or before the 25th day of that month. Requires that payment, on purchases made on the 16th through the last day of a month, be made on or before the 10th day of the following month. Provides that an account is not delinquent if payment is received by the wholesale dealer not later than the fourth business day after the date payment is due under this subsection.

SECTION 2. Effective date: upon passage or September 1, 2013.