

BILL ANALYSIS

H.B. 3502
By: Smith
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties contend that the education of consumers on the pairings of beer with particular food has become a marketing technique for manufacturers as the variety of beer products continues to expand. The parties further note that while wine producers are allowed to conduct such activities, beer manufacturers are not. H.B. 3502 seeks to allow beer manufacturers to conduct tastings and food pairings on licensed retail premises under certain conditions and restrictions.

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. 3502 amends the Alcoholic Beverage Code to define "experiential dinner" as a prescheduled and private event during which invited consumers and alcoholic beverage retailer employees of legal drinking age are provided with an opportunity to attend a dinner for the purpose of receiving instruction on pairing beer with food and the history, quality, characteristics, presentation, and service of beer; tasting beer authorized for sale in Texas and food pairings; and being entertained by the license or permit holder conducting the event or a person retained by the license or permit holder.

H.B. 3502 authorizes a holder of a manufacturer's license, nonresident manufacturer's license, general distributor's license, local distributor's license, agent's beer license, or promotional permit; the license or permit holder's agent, representative, or employee; or any retailer licensed or permitted for on-premises consumption to conduct an experiential dinner at the premises of a retailer holding a license or permit to sell alcoholic beverages for on-premises consumption. The bill requires the retailer to be compensated for the fair market value of the services provided by the retailer and sets out provisions relating to the conduct of the dinner, the purchase of all beer and food used in the event, the planning of the dinner, the preannouncement and advertisement of the dinner, and the maximum value of the food, beer, and entertainment provided during a dinner.

EFFECTIVE DATE

September 1, 2013.