

BILL ANALYSIS

C.S.H.B. 3503
By: Smith
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Interested parties contend that despite the ability of many beer manufacturers and sellers to use unique vehicles to advertise their products, the use of unique, branded vehicles for advertising purposes on the licensed or permitted premises of a retailer is currently not contemplated or allowed under state law. C.S.H.B. 3503 seeks to allow for the limited placement of branded vehicles on such premises.

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

C.S.H.B. 3503 amends the Alcoholic Beverage Code to authorize the holder of a manufacturer's or nonresident manufacturer's license or a nonresident seller's permit to display a branded promotional vehicle on the licensed or permitted premises of a retailer, whether outside or inside a structure on the premises, for not more than five hours per day.

EFFECTIVE DATE

September 1, 2013.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 3503 may differ from the original in minor or nonsubstantive ways, the following comparison is organized and highlighted in a manner that indicates the substantial differences between the introduced and committee substitute versions of the bill.

INTRODUCED

SECTION 1. Subchapter A, Chapter 108, Alcoholic Beverage Code, is amended by adding Section 108.10 to read as follows:
Sec. 108.10. BRANDED PROMOTIONAL VEHICLES. Notwithstanding any other provision of this code, the holder of a manufacturer's or nonresident manufacturer's license may display a branded promotional vehicle on the licensed or permitted premises of a retailer, whether outside or inside a structure on the premises, for not more than five hours per day.

HOUSE COMMITTEE SUBSTITUTE

SECTION 1. Subchapter A, Chapter 108, Alcoholic Beverage Code, is amended by adding Section 108.10 to read as follows:
Sec. 108.10. BRANDED PROMOTIONAL VEHICLES. Notwithstanding any other provision of this code, the holder of a manufacturer's or nonresident manufacturer's license or a nonresident seller's permit may display a branded promotional vehicle on the licensed or permitted premises of a retailer, whether outside or inside a structure on the premises,

for not more than five hours per day.

SECTION 2. This Act takes effect
September 1, 2013.

SECTION 2. Same as introduced version.