

By: Gutierrez

H.B. No. 2114

A BILL TO BE ENTITLED

AN ACT

relating to the sale by an alcoholic beverage wholesaler of equipment, fixtures, or supplies used in the selling or dispensing of distilled spirits.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter A, Chapter 102, Alcoholic Beverage Code, is amended by adding Section 102.072 to read as follows:

Sec. 102.072. SALE OF EQUIPMENT BY WHOLESALER.

Notwithstanding Sections 102.04 and 102.07 or any other provision of this code, the holder of a wholesaler's permit may 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:

(1) influences a mixed beverage or private club registration permittee to purchase any quantity of alcoholic beverages;

(2) affects the terms by which a mixed beverage or private club registration permittee may purchase alcoholic beverages; or

(3) threatens the independence of a mixed beverage or private club registration permittee.

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