

By: Gutierrez

H.B. No. 2114

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the sale by an alcoholic beverage wholesaler of
3 equipment, fixtures, or supplies used in the selling or dispensing
4 of distilled spirits.

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

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

8 Sec. 102.072. SALE OF EQUIPMENT BY WHOLESALER.

9 Notwithstanding Sections 102.04 and 102.07 or any other provision
10 of this code, the holder of a wholesaler's permit may sell to mixed
11 beverage and private club registration permittees any equipment,
12 fixtures, or supplies used in the selling or dispensing of
13 distilled spirits if the equipment, fixtures, or supplies are not
14 marketed or sold in a manner that:

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

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

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

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