

By: Gutierrez

H.B. No. 2126

Substitute the following for H.B. No. 2126:

By: Gutierrez

C.S.H.B. No. 2126

A BILL TO BE ENTITLED

AN ACT

relating to the creation of a permit to allow alcoholic beverage wholesalers to store alcoholic beverages at certain auxiliary locations; providing for a permitting fee.

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

SECTION 1. Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 19A to read as follows:

CHAPTER 19A. WHOLESALER'S BRANCH PERMIT

Sec. 19A.01. AUTHORIZED ACTIVITIES. The holder of a wholesaler's branch permit may maintain one or more auxiliary locations other than the permitted premises maintained by the permit holder under the authority of a wholesaler's permit to store alcoholic beverages that are in transit between premises covered by that wholesaler's permit and the premises of a retailer, including the holder of a private club registration permit, or another wholesaler.

Sec. 19A.02. FEE. The commission shall exercise the commission's authority under Section 5.50(b) to set an annual state fee for a wholesaler's branch permit.

Sec. 19A.03. ELIGIBILITY FOR PERMIT. A wholesaler's branch permit may be issued only to the holder of a wholesaler's permit.

Sec. 19A.04. ORIGINATION OF SALES OR SHIPPING PROHIBITED. The holder of a wholesaler's branch permit may not:

(1) sell or take orders for alcoholic beverages at an

1 auxiliary location permitted under this chapter; or
2 (2) initiate shipping from an auxiliary location
3 permitted under this chapter of an alcoholic beverage sold by the
4 permit holder under the authority of the permit holder's
5 wholesaler's permit.

6 Sec. 19A.05. SAMPLING OF BEVERAGES AUTHORIZED. The holder
7 of a wholesaler's branch permit may allow retailers to sample
8 alcoholic beverages at no charge at a location permitted under this
9 chapter.

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