

By: Gutierrez

H.B. No. 2126

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of a permit to allow alcoholic beverage
3 wholesalers to store alcoholic beverages at certain auxiliary
4 locations; providing for a permitting fee.

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

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

8 CHAPTER 19A. WHOLESALER'S BRANCH PERMIT

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

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

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

22 Sec. 19A.04. MINIMUM STORAGE PERIOD. Alcoholic beverages
23 delivered to an auxiliary location permitted under this chapter
24 must remain in storage at that location for at least 24 hours before

1 being transported to another location.

2 Sec. 19A.05. ORIGINATION OF SALES OR SHIPPING PROHIBITED.

3 The holder of a wholesaler's branch permit may not:

4 (1) sell or take orders for alcoholic beverages at an
5 auxiliary location permitted under this chapter; or

6 (2) initiate shipping from an auxiliary location
7 permitted under this chapter of an alcoholic beverage sold by the
8 permit holder under the authority of the permit holder's
9 wholesaler's permit.

10 Sec. 19A.06. SAMPLING OF BEVERAGES AUTHORIZED. The holder
11 of a wholesaler's branch permit may allow retailers to sample
12 alcoholic beverages at no charge at a location permitted under this
13 chapter.

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