

1-1 By: Van de Putte S.B. No. 883  
1-2 (In the Senate - Filed February 27, 2013; March 5, 2013,  
1-3 read first time and referred to Committee on Business and Commerce;  
1-4 May 1, 2013, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 6, Nays 0; May 1, 2013, sent  
1-6 to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10			X	
1-11			X	
1-12	X			
1-13			X	
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 883 By: Van de Putte

1-19 A BILL TO BE ENTITLED  
1-20 AN ACT

1-21 relating to promotional items provided by manufacturers,  
1-22 wholesalers, and distributors of alcoholic beverages to retailers.  
1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:  
1-24 SECTION 1. Subchapter A, Chapter 108, Alcoholic Beverage  
1-25 Code, is amended by adding Section 108.036 to read as follows:  
1-26 Sec. 108.036. CERTAIN PROMOTIONAL ITEMS PROVIDED TO  
1-27 RETAILER BY MANUFACTURER, WHOLESALER, OR DISTRIBUTOR.  
1-28 (a) Notwithstanding any other provision of this code, a member of  
1-29 the manufacturing, wholesaler, or distributor tier may:  
1-30 (1) sell to a retailer promotional items that bear an  
1-31 alcoholic beverage manufacturer's logo, brand, or product name and  
1-32 are designed:  
1-33 (A) to promote a specific product or brand; and  
1-34 (B) for use by the consumer, either on or off the  
1-35 retailer's premises; and  
1-36 (2) give or sell to a retailer interior signs that have  
1-37 the primary purpose of advertising a brand or product or the price  
1-38 of a brand or product, provided that a sign provided to a retailer  
1-39 under this section may not bear the name, logo, or trademark of a  
1-40 specific retailer.  
1-41 (b) Promotional items sold under Subsection (a)(1) may not  
1-42 be sold for less than the item manufacturer's regularly published  
1-43 wholesale price. Payment for an item sold under this section must  
1-44 be in cash, paid on or before delivery.  
1-45 (c) A manufacturer, wholesaler, or distributor of alcoholic  
1-46 beverages may not paint, improve, or remodel a retailer's building  
1-47 or any part of a retailer's building, inside or out, or finance any  
1-48 improvements to a retailer's building.  
1-49 SECTION 2. This Act takes effect September 1, 2013.

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