

By: Raymond

H.B. No. 2118

A BILL TO BE ENTITLED

1 AN ACT

2 relating to authorizing the sale of alcoholic beverages from
3 certain automated dispensing machines.

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

5 SECTION 1. Subchapter A, Chapter 11, Alcoholic Beverage
6 Code, is amended by adding Section 11.14 to read as follows:

7 Sec. 11.14. AUTOMATED DISPENSING MACHINES. (a) In this
8 section:

9 (1) "Identification card" means a card issued by a
10 governmental agency that contains a person's name and a physical
11 description and photograph of the person, including a driver's
12 license or identification card issued by this state or another
13 state, a passport, or a military identification card.

14 (2) "Payment card" means a credit card, debit card,
15 check card, or other card that is issued to an authorized user to
16 purchase or obtain goods, services, money, or any other thing of
17 value.

18 (b) A permittee authorized to sell alcoholic beverages for
19 on-premises consumption may use an automated machine that, on
20 activation of a payment card by the permittee, may be operated to
21 dispense the alcoholic beverages.

22 (c) Only the following persons may dispense alcoholic
23 beverages from an automated machine authorized by this section:

24 (1) an employee of the permittee who is authorized to

1 serve alcoholic beverages; or

2 (2) subject to Subsection (d), a person whom the
3 permittee has verified to be 21 years of age or older using an
4 identification card that matches the name on the payment card.

5 (d) A verification that a person is 21 years of age or older
6 under Subsection (c)(2) must be recorded by the permittee in a
7 database and tied to the payment card before the person may dispense
8 alcoholic beverages from the automated machine.

9 (e) An automated machine authorized by this section may not
10 dispense a serving of more than 32 ounces of beer, 10 ounces of
11 wine, or 3 ounces of liquor without the payment card being
12 reactivated by the permittee.

13 SECTION 2. Section 51.09, Alcoholic Beverage Code, is
14 amended to read as follows:

15 Sec. 51.09. COIN-OPERATED MACHINES PROHIBITED. Except as
16 provided by Section 11.14, nothing [~~Nothing~~] in this chapter shall
17 be construed as authorizing nor may the commission or administrator
18 authorize the sale of any alcoholic beverage from a coin-operated
19 machine or similar device operated by the consumer that does not
20 require the verification and recordation of the consumer's age and
21 activation of a payment card prior to operation.

22 SECTION 3. This Act takes effect September 1, 2015.