

By: Geren

H.B. No. 2098

A BILL TO BE ENTITLED

AN ACT

relating to allowing the holder of a brewpub license to sell ale and malt liquor to certain wholesalers.

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

SECTION 1. Section 19.01, Alcoholic Beverage Code, is amended to read as follows:

Sec. 19.01. AUTHORIZED ACTIVITIES. The holder of a wholesaler's permit may:

(1) purchase and import liquor from distillers, brewers, wineries, wine bottlers, rectifiers, and manufacturers who are holders of nonresident seller's permits or from their agents who hold manufacturer's agents permits;

(2) purchase ale and malt liquor from holders of brewpub licenses;

(3) purchase liquor from other wholesalers in the state;

(4) [~~(3)~~] sell liquor in the original containers in which it is received to retailers and wholesalers in this state authorized to sell the liquor;

(5) [~~(4)~~] sell liquor to qualified persons outside the state; and

(6) [~~(5)~~] sell ale and malt liquor to a holder of a private club registration permit.

SECTION 2. Section 21.01, Alcoholic Beverage Code, is

1 amended to read as follows:

2           Sec. 21.01. AUTHORIZED ACTIVITIES. The holder of a local  
3 class B wholesaler's permit may:

4           (1) purchase and import malt and vinous liquors from  
5 brewers, wineries, rectifiers, and wine manufacturers and bottlers  
6 who are holders of nonresident seller's permits and from their  
7 agents who are holders of manufacturer's agent permits;

8           (2) purchase malt and vinous liquors from holders of  
9 brewer's permits, holders of brewpub licenses, and [~~from~~] other  
10 wholesalers in the state;

11           (3) sell the malt and vinous liquors, in the original  
12 containers in which the permit holder [~~he~~] receives them, to  
13 general and local class B wholesaler's permittees and, in the  
14 permit holder's [~~his~~] county of residence, to local distributor's  
15 permittees and retailers, including mixed beverage permittees and  
16 daily temporary mixed beverage permittees; and

17           (4) sell ale and malt liquor to a holder of a private  
18 club registration permit.

19           SECTION 3. Section 74.10(a), Alcoholic Beverage Code, is  
20 amended to read as follows:

21           (a) In addition to the activities authorized by Section  
22 74.01, the holder of a brewpub license may sell ale and malt liquor  
23 to the holder of a wholesaler's permit, a general class B  
24 wholesaler's permit, or a local class B wholesaler's permit.

25           SECTION 4. This Act takes effect immediately if it receives  
26 a vote of two-thirds of all the members elected to each house, as  
27 provided by Section 39, Article III, Texas Constitution. If this

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1 Act does not receive the vote necessary for immediate effect, this

2 Act takes effect September 1, 2017.