

1-1 By: Geren (Senate Sponsor - Watson) H.B. No. 2098
 1-2 (In the Senate - Received from the House April 20, 2017;
 1-3 May 2, 2017, read first time and referred to Committee on Business
 1-4 & Commerce; May 15, 2017, reported adversely, with favorable
 1-5 Committee Substitute by the following vote: Yeas 7, Nays 0;
 1-6 May 15, 2017, sent 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 H.B. No. 2098 By: Hancock

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

1-21 relating to allowing certain wholesalers and distributors to
 1-22 purchase beer, ale, and malt liquor from the holder of a brewpub
 1-23 license.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 19.01, Alcoholic Beverage Code, is
 1-26 amended to read as follows:

1-27 Sec. 19.01. AUTHORIZED ACTIVITIES. The holder of a
 1-28 wholesaler's permit may:

1-29 (1) purchase and import liquor from distillers,
 1-30 brewers, wineries, wine bottlers, rectifiers, and manufacturers
 1-31 who are holders of nonresident seller's permits or from their
 1-32 agents who hold manufacturer's agents permits;

1-33 (2) purchase ale and malt liquor from holders of
 1-34 brewpub licenses;

1-35 (3) purchase liquor from other wholesalers in the
 1-36 state;

1-37 (4) ~~[(3)]~~ sell liquor in the original containers in
 1-38 which it is received to retailers and wholesalers in this state
 1-39 authorized to sell the liquor;

1-40 (5) ~~[(4)]~~ sell liquor to qualified persons outside the
 1-41 state; and

1-42 (6) ~~[(5)]~~ sell ale and malt liquor to a holder of a
 1-43 private club registration permit.

1-44 SECTION 2. Section 21.01, Alcoholic Beverage Code, is
 1-45 amended to read as follows:

1-46 Sec. 21.01. AUTHORIZED ACTIVITIES. The holder of a local
 1-47 class B wholesaler's permit may:

1-48 (1) purchase and import malt and vinous liquors from
 1-49 brewers, wineries, rectifiers, and wine manufacturers and bottlers
 1-50 who are holders of nonresident seller's permits and from their
 1-51 agents who are holders of manufacturer's agent permits;

1-52 (2) purchase malt and vinous liquors from holders of
 1-53 brewer's permits, holders of brewpub licenses, and ~~[from]~~ other
 1-54 wholesalers in the state;

1-55 (3) sell the malt and vinous liquors, in the original
 1-56 containers in which the permit holder ~~[he]~~ receives them, to
 1-57 general and local class B wholesaler's permittees and, in the
 1-58 permit holder's ~~[his]~~ county of residence, to local distributor's
 1-59 permittees and retailers, including mixed beverage permittees and
 1-60 daily temporary mixed beverage permittees; and

2-1 (4) sell ale and malt liquor to a holder of a private
2-2 club registration permit.

2-3 SECTION 3. Section 65.01(a), Alcoholic Beverage Code, is
2-4 amended to read as follows:

2-5 (a) The holder of a local distributor's license may:

2-6 (1) receive beer in unbroken original packages from
2-7 manufacturers and brewpubs and from general, branch, or local
2-8 distributors;

2-9 (2) sell and distribute beer in the unbroken original
2-10 packages in which it is received:

2-11 (A) to the following, if located in the county of
2-12 the licensee's residence: local distributor permittees, permittees
2-13 or licensees authorized to sell to ultimate consumers, private club
2-14 registration permittees, authorized outlets located on any
2-15 installation of the national military establishment, or qualified
2-16 persons for shipment and consumption outside the state; or

2-17 (B) to other licensed distributors in the state;
2-18 and

2-19 (3) serve free beer for consumption on the licensed
2-20 premises.

2-21 SECTION 4. Section 74.10(a), Alcoholic Beverage Code, is
2-22 amended to read as follows:

2-23 (a) In addition to the activities authorized by Section
2-24 74.01, the holder of a brewpub license may sell ale and malt liquor
2-25 to the holder of a wholesaler's permit, a general class B
2-26 wholesaler's permit, or a local class B wholesaler's permit.

2-27 SECTION 5. This Act takes effect immediately if it receives
2-28 a vote of two-thirds of all the members elected to each house, as
2-29 provided by Section 39, Article III, Texas Constitution. If this
2-30 Act does not receive the vote necessary for immediate effect, this
2-31 Act takes effect September 1, 2017.

2-32 * * * * *