

House Bill 2098
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

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 amended to read as follows:

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

- (1) purchase and import malt and vinous liquors from brewers, wineries, rectifiers, and wine manufacturers and bottlers who are holders of nonresident seller's permits and from their agents who are holders of manufacturer's agent permits;
- (2) purchase malt and vinous liquors from holders of brewer's permits, holders of brewpub licenses, and [~~from~~] other wholesalers in the state;
- (3) sell the malt and vinous liquors, in the original containers in which the permit holder [~~he~~] receives them, to general and

SENATE VERSION (IE)

SECTION 1. Same as House version.

SECTION 2. Same as House version.

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local class B wholesaler's permittees and, in the permit holder's [his] county of residence, to local distributor's permittees and retailers, including mixed beverage permittees and daily temporary mixed beverage permittees; and
(4) sell ale and malt liquor to a holder of a private club registration permit.

No equivalent provision.

No equivalent provision.

SENATE VERSION (IE)

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

- (a) The holder of a local distributor's license may:
- (1) receive beer in unbroken original packages from manufacturers and brewpubs and from general, branch, or local distributors;
 - (2) sell and distribute beer in the unbroken original packages in which it is received:
 - (A) to the following, if located in the county of the licensee's residence: local distributor permittees, permittees or licensees authorized to sell to ultimate consumers, private club registration permittees, authorized outlets located on any installation of the national military establishment, or qualified persons for shipment and consumption outside the state; or
 - (B) to other licensed distributors in the state; and
 - (3) serve free beer for consumption on the licensed premises.

SECTION __. Section 74.09(a), Alcoholic Beverage Code, is amended to read as follows:

- (a) In addition to the activities authorized by Section 74.01, the holder of a brewpub license may sell beer produced under the license to the holder of a general, local, or branch distributor's license or to qualified distributors or other similarly situated entities outside the state. [FA1(2)]

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

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

SECTION 4. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2017.

SENATE VERSION (IE)

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

(a) In addition to the activities authorized by Section 74.01, the holder of a brewpub license may sell ale and malt liquor to the holder of a wholesaler's permit, a general class B wholesaler's permit, or a local class B wholesaler's permit or to qualified wholesalers or other similarly situated entities outside the state. [FA1(1)]

SECTION 5. Same as House version.

CONFERENCE