

BILL ANALYSIS

C.S.H.B. 2296
By: Goldman
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the current restrictions on holders of a wine and beer retailer's permit making deliveries to and collections from customers in the same manner as a package store permit holder delivering malt beverages. C.S.H.B. 2296 seeks to address these concerns by making a wine and beer retailer's permit holder eligible to apply for a local cartage permit, thereby allowing the permit holder to make such deliveries and collections.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

C.S.H.B. 2296 amends the Alcoholic Beverage Code to include a wine and beer retailer's permit holder among those to whom the Texas Alcoholic Beverage Commission may issue a local cartage permit and to authorize a holder of both such permits to make deliveries to and collections from ultimate consumers in the same manner as a package store permit holder. The bill authorizes a package store, wine only package store, or wine and beer retailer's permittee who also holds a local cartage permit to make deliveries to and collections from customers in accordance with applicable provisions relating to deliveries and collections as appropriate. The bill establishes that statutory provisions relating to authorized activities for a brewpub license holder for a brewpub located in a wet area do not authorize such a license holder who also holds a wine and beer retailer's permit to deliver alcoholic beverages directly to ultimate consumers for off-premise consumption at a location other than the licensed premises.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

While C.S.H.B. 2296 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute changes from customers to ultimate consumers the party to whom and from whom

the holder of both a wine and beer retailer's permit and a local cartage permit may make deliveries and collections, as applicable, in the same manner as a package store permit holder.