

By: Harless

H.B. No. 3271

A BILL TO BE ENTITLED

AN ACT

relating to the removal of certain alcoholic beverages that become unfit for consumption after a natural disaster.

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

SECTION 1. The heading to Subchapter A, Chapter 109, Alcoholic Beverage Code, is amended to read as follows:

SUBCHAPTER A. SALVAGED AND INSURED LOSSES; UNINSURED LOSSES

SECTION 2. Subchapter A, Chapter 109, Alcoholic Beverage Code, is amended by adding Section 109.09 to read as follows:

Sec. 109.09. REMOVAL OF UNINSURED BEVERAGES UNFIT FOR CONSUMPTION. (a) Uninsured ale, malt liquor, or beer that becomes unfit for human consumption as the result of a natural disaster in an area declared to be a disaster under Section 418.014, Government Code, may be removed from the inventory of a retailer if the removal is agreed to by:

(1) the holder of the brewer's permit or manufacturer's license who manufactured the beverage; and

(2) the wholesaler or distributor that distributed the beverage.

(b) A manufacturer or brewer and a wholesaler or distributor who agree to the removal of a beverage under Subsection (a) must hold the retailer from whose inventory the beverage is removed harmless for the cost of the removal.

SECTION 3. This Act takes effect September 1, 2019.