

By: Hancock

S.B. No. 1210

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 public consumption, as described by Section 103.07(b), may be removed from the inventory of a retailer if the holder of the brewer's permit or manufacturer's license who manufactured the beverage and the wholesaler or distributor that distributed the beverage jointly determine that the beverage:

(1) became unfit for public consumption as the result of a natural disaster in an area declared to be a disaster under Section 418.014, Government Code; and

(2) should be removed from the inventory of the retailer.

(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

1 harmless for the cost of the replacement of the removed beverage.

2 (c) The commission by rule may provide requirements
3 governing the disposal or destruction by a retailer of uninsured
4 ale, malt liquor, or beer that is determined to be unfit for public
5 consumption under this section.

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