

1-1 By: Hancock S.B. No. 1210  
 1-2 (In the Senate - Filed February 27, 2019; March 7, 2019,  
 1-3 read first time and referred to Committee on Business & Commerce;  
 1-4 April 8, 2019, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 8, 2019,  
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8	X			
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 S.B. No. 1210 By: Hancock

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

1-21 relating to the removal of certain alcoholic beverages that become  
 1-22 unfit for consumption after a natural disaster.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. The heading to Subchapter A, Chapter 109,  
 1-25 Alcoholic Beverage Code, is amended to read as follows:

1-26 SUBCHAPTER A. SALVAGED AND INSURED LOSSES; UNINSURED LOSSES

1-27 SECTION 2. Subchapter A, Chapter 109, Alcoholic Beverage  
 1-28 Code, is amended by adding Section 109.09 to read as follows:

1-29 Sec. 109.09. REMOVAL OF UNINSURED BEVERAGES UNFIT FOR  
 1-30 CONSUMPTION. (a) Uninsured ale, malt liquor, or beer that becomes  
 1-31 unfit for public consumption, as described by Section 103.07(b),  
 1-32 may be removed from the inventory of a retailer if the holder of the  
 1-33 brewer's permit or manufacturer's license who manufactured the  
 1-34 beverage and the wholesaler or distributor that distributed the  
 1-35 beverage jointly determine that the beverage:

1-36 (1) became unfit for public consumption as the result  
 1-37 of a natural disaster in an area declared to be a disaster under  
 1-38 Section 418.014, Government Code; and

1-39 (2) should be removed from the inventory of the  
 1-40 retailer.

1-41 (b) A manufacturer or brewer and a wholesaler or distributor  
 1-42 who agree to the removal of a beverage under Subsection (a) must  
 1-43 hold the retailer from whose inventory the beverage is removed  
 1-44 harmless for the cost of the replacement of the removed beverage.

1-45 (c) The commission by rule may provide requirements  
 1-46 governing the disposal or destruction by a retailer of uninsured  
 1-47 ale, malt liquor, or beer that is determined to be unfit for public  
 1-48 consumption under this section.

1-49 SECTION 3. This Act takes effect September 1, 2019.

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