

By: Harris

H.B. No. 2890

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the sale of distilled spirits to ultimate consumers by  
3 the holder of a distiller's and rectifier's permit.

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

5 SECTION 1. Sections 14.05(a), (b), and (f), Alcoholic  
6 Beverage Code, are amended to read as follows:

7 (a) The holder of a distiller's and rectifier's permit whose  
8 permitted premises is located in an area where the sale of alcoholic  
9 beverages is legal as provided by a ballot issue approved by the  
10 voters under Section 501.035(b)(7), (8), or (9), Election Code, may  
11 sell to ultimate consumers for consumption on or off the permitted  
12 premises distilled spirits manufactured or rectified by the permit  
13 holder in an amount not to exceed 12,500 [~~3,000~~] gallons annually.

14 (b) The holder of a distiller's and rectifier's permit may  
15 sell distilled spirits manufactured by the permit holder to  
16 ultimate consumers for off-premises consumption in unbroken  
17 packages containing not more than 750 milliliters of distilled  
18 spirits for off-premises consumption [~~in an amount not to exceed~~  
19 ~~3,500 gallons annually~~] if:

20 (1) for a permit issued on or after September 1, 2013,  
21 the permitted premises is located in an area where the sale of  
22 alcoholic beverages is legal as provided by a ballot issue approved  
23 by the voters under Section 501.035(b)(5), (6), or (7), Election  
24 Code; or

1           (2) for a permit issued before September 1, 2013, the  
2 permitted premises is located in an area where the sale of alcoholic  
3 beverages is legal as provided by a ballot issue approved by the  
4 voters under Section 501.035(b)(5), (6), (7), (8), or (9), Election  
5 Code.

6           (f) The permit holder must ~~[check a purchaser's~~  
7 ~~identification and]~~ keep records of sales ~~[purchases]~~ in a manner  
8 that enables the permit holder to comply with this section.

9           SECTION 2. Section 14.05(c), Alcoholic Beverage Code, is  
10 repealed.

11           SECTION 3. This Act takes effect September 1, 2021.