

By: Bernal

H.B. No. 254

A BILL TO BE ENTITLED

AN ACT

relating to the sale of distilled spirits at a temporary location by the holder of a distiller's and rectifier's permit.

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

SECTION 1. Section 14.01(a), Alcoholic Beverage Code, is amended to read as follows:

(a) The holder of a distiller's and rectifier's permit may:

(1) manufacture distilled spirits;

(2) rectify, purify, and refine distilled spirits and wines;

(3) mix wines, distilled spirits, or other liquors;

(4) bottle, label, and package the permit holder's finished products;

(5) sell the finished products in this state to holders of wholesaler's permits and to qualified persons outside the state;

(6) purchase distilled spirits, to be used only for manufacturing or rectification purposes, from holders of nonresident seller's permits or distiller's and rectifier's permits;

(7) dispense free distilled spirits for consumption on the permitted premises under Section 14.04;

(8) sell bulk alcohol produced by the permit holder for purposes described by Section 38.01; and

(9) sell distilled spirits to ultimate consumers under Section 14.04, ~~[or]~~ 14.05, or 14.09.

SECTION 2. Chapter 14, Alcoholic Beverage Code, is amended by adding Section 14.09 to read as follows:

Sec. 14.09. SALES AT TEMPORARY LOCATION. (a) The holder of a distiller's and rectifier's permit may sell distilled spirits at a civic or distilled spirits festival, farmers' market, celebration, or similar event.

(b) The holder of a distiller's and rectifier's permit may not offer distilled spirits for sale under this section on more than four consecutive days at the same location.

(c) The commission shall adopt rules to implement this section, including rules that:

(1) require the permit holder to notify the commission of the dates on which and location where the permit holder will temporarily offer distilled spirits for sale under this section;

(2) establish a procedure to verify the wet or dry status of the location where the permit holder intends to temporarily sell distilled spirits under this section;

(3) detail the circumstances when a permit holder may temporarily sell distilled spirits under this section with just a notification to the commission and the circumstances that require the commission's preapproval before a permit holder may temporarily sell distilled spirits under this section; and

(4) require the permit holder to provide any other information the commission determines necessary.

(d) The provisions of this code applicable to the sale of

1 distilled spirits on the permitted premises of the holder of a
2 distiller's and rectifier's permit apply to the sale of distilled
3 spirits under this section.

4 SECTION 3. This Act takes effect September 1, 2023.