

By: Parker, Hagenbuch

S.B. No. 1355

A BILL TO BE ENTITLED

AN ACT

relating to liquor sales on credit by the holder of a distiller's  
and rectifier's permit to a wholesaler.

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

SECTION 1. Subchapter B, Chapter 102, Alcoholic Beverage  
Code, is amended by adding Section 102.33 to read as follows:

Sec. 102.33. SALE OF LIQUOR BY DISTILLER AND RECTIFIER TO  
WHOLESALER: CREDIT RESTRICTIONS. (a) The holder of a distiller's  
and rectifier's permit shall provide a written invoice to the  
holder of a wholesaler's permit who purchases liquor from the  
holder of the distiller's and rectifier's permit.

(b) The holder of a wholesaler's permit shall pay for liquor  
purchased from the holder of a distiller's and rectifier's permit in  
accordance with the agreed terms of a contract or letter of  
agreement between the holder of the distiller's and rectifier's  
permit and the wholesaler.

(c) If the holder of a wholesaler's permit becomes  
delinquent in the payment of an invoice for liquor under this  
section, the holder of the distiller's and rectifier's permit who  
sold the liquor to the wholesaler may report that fact in writing,  
along with any supporting documentation, to the commission. For  
purposes of this section, a wholesaler becomes delinquent in the  
payment of an invoice if the wholesaler:

(1) fails to pay the amount due to the holder of the

1 distiller's and rectifier's permit on or before the date payment is  
2 required under the agreed terms of a contract or letter of agreement  
3 between the holder of the distiller's and rectifier's permit and the  
4 wholesaler; and

5 (2) fails to pay the amount due to the holder of the  
6 distiller's and rectifier's permit after receiving a demand for  
7 payment from the holder of the distiller's and rectifier's permit,  
8 in accordance with any agreed payment terms of a contract or letter  
9 of agreement between the holder of the distiller's and rectifier's  
10 permit and the wholesaler.

11 (d) It is a violation of this section for the holder of a  
12 wholesaler's permit to become delinquent in the payment of an  
13 invoice under this section. The commission may take disciplinary  
14 action against a wholesaler who violates this section. In  
15 determining an appropriate disciplinary action for the violation,  
16 the commission may consider:

17 (1) the duration of the delinquency;  
18 (2) the amount of the delinquent payment;  
19 (3) any previous violations of this section committed  
20 by the wholesaler;  
21 (4) the financial resources of the wholesaler; and  
22 (5) any other factors the commission or administrator  
23 determines relevant.

24 (e) The commission shall adopt rules to implement this  
25 section, including rules regarding the submission of supporting  
26 documentation by the holder of a distiller's and rectifier's permit  
27 under Subsection (c).

1           SECTION 2.   This Act takes effect September 1, 2025.