

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 written 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 written 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 written
9 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.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 1355 passed the Senate on April 10, 2025, by the following vote: Yeas 27, Nays 3; and that the Senate concurred in House amendment on May 12, 2025, by the following vote: Yeas 28, Nays 2.

Secretary of the Senate

I hereby certify that S.B. No. 1355 passed the House, with amendment, on May 8, 2025, by the following vote: Yeas 129, Nays 16, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor