

1-1 By: Eltife S.B. No. 1652  
 1-2 (In the Senate - Filed March 13, 2015; March 23, 2015, read  
 1-3 first time and referred to Committee on Business and Commerce;  
 1-4 April 30, 2015, reported adversely, with favorable Committee  
 1-5 Substitute by the following vote: Yeas 7, Nays 0, 1 present not  
 1-6 voting; April 30, 2015, 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. 1652 By: Taylor of Galveston

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

1-21 relating to allowing the holder of a brewpub license to sell beer,  
 1-22 ale, and malt liquor to certain wholesalers, distributors, and  
 1-23 qualified persons outside the state.

1-24 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-25 SECTION 1. Section 19.01, Alcoholic Beverage Code, is  
 1-26 amended to read as follows:

1-27 Sec. 19.01. AUTHORIZED ACTIVITIES. The holder of a  
 1-28 wholesaler's permit may:

1-29 (1) purchase and import liquor from distillers,  
 1-30 brewers, wineries, wine bottlers, rectifiers, and manufacturers  
 1-31 who are holders of nonresident seller's permits or from their  
 1-32 agents who hold manufacturer's agents permits;

1-33 (2) purchase ale and malt liquor from holders of  
 1-34 brewpub licenses;

1-35 (3) purchase liquor from other wholesalers in the  
 1-36 state;

1-37 (4) ~~[(3)]~~ sell liquor in the original containers in  
 1-38 which it is received to retailers and wholesalers in this state  
 1-39 authorized to sell the liquor;

1-40 (5) ~~[(4)]~~ sell liquor to qualified persons outside the  
 1-41 state; and

1-42 (6) ~~[(5)]~~ sell ale and malt liquor to a holder of a  
 1-43 private club registration permit.

1-44 SECTION 2. Section 21.01, Alcoholic Beverage Code, is  
 1-45 amended to read as follows:

1-46 Sec. 21.01. AUTHORIZED ACTIVITIES. The holder of a local  
 1-47 class B wholesaler's permit may:

1-48 (1) purchase and import malt and vinous liquors from  
 1-49 brewers, wineries, rectifiers, and wine manufacturers and bottlers  
 1-50 who are holders of nonresident seller's permits and from their  
 1-51 agents who are holders of manufacturer's agent permits;

1-52 (2) purchase malt and vinous liquors from holders of  
 1-53 brewer's permits, holders of brewpub licenses, and ~~[from]~~ other  
 1-54 wholesalers in the state;

1-55 (3) sell the malt and vinous liquors, in the original  
 1-56 containers in which the permit holder ~~[he]~~ receives them, to  
 1-57 general and local class B wholesaler's permittees and, in the  
 1-58 permit holder's ~~[his]~~ county of residence, to local distributor's  
 1-59 permittees and retailers, including mixed beverage permittees and  
 1-60 daily temporary mixed beverage permittees; and

2-1 (4) sell ale and malt liquor to a holder of a private  
2-2 club registration permit.

2-3 SECTION 3. Section 65.01(a), Alcoholic Beverage Code, is  
2-4 amended to read as follows:

2-5 (a) The holder of a local distributor's license may:

2-6 (1) receive beer in unbroken original packages from  
2-7 manufacturers and brewpubs and from general, branch, or local  
2-8 distributors;

2-9 (2) sell and distribute beer in the unbroken original  
2-10 packages in which it is received:

2-11 (A) to the following, if located in the county of  
2-12 the licensee's residence: local distributor permittees,  
2-13 permittees or licensees authorized to sell to ultimate consumers,  
2-14 private club registration permittees, authorized outlets located  
2-15 on any installation of the national military establishment, or  
2-16 qualified persons for shipment and consumption outside the state;  
2-17 or

2-18 (B) to other licensed distributors in the state;  
2-19 and

2-20 (3) serve free beer for consumption on the licensed  
2-21 premises.

2-22 SECTION 4. Section 74.09(a), Alcoholic Beverage Code, is  
2-23 amended to read as follows:

2-24 (a) In addition to the activities authorized by Section  
2-25 74.01, the holder of a brewpub license may sell beer produced under  
2-26 the license to the holder of a general, local, or branch  
2-27 distributor's license or to qualified distributors outside the  
2-28 state.

2-29 SECTION 5. Section 74.10(a), Alcoholic Beverage Code, is  
2-30 amended to read as follows:

2-31 (a) In addition to the activities authorized by Section  
2-32 74.01, the holder of a brewpub license may sell ale and malt liquor  
2-33 to the holder of a wholesaler's permit, a general class B  
2-34 wholesaler's permit, or a local class B wholesaler's permit or to  
2-35 qualified wholesalers outside the state.

2-36 SECTION 6. This Act takes effect immediately if it receives  
2-37 a vote of two-thirds of all the members elected to each house, as  
2-38 provided by Section 39, Article III, Texas Constitution. If this  
2-39 Act does not receive the vote necessary for immediate effect, this  
2-40 Act takes effect September 1, 2015.

2-41 \* \* \* \* \*