

1-1 By: Kuempel (Senate Sponsor - Estes) H.B. No. 3003
 1-2 (In the Senate - Received from the House May 5, 2017;
 1-3 May 12, 2017, read first time and referred to Committee on Business
 1-4 & Commerce; May 21, 2017, reported favorably by the following vote:
 1-5 Yeas 8, Nays 0; May 21, 2017, sent to printer.)

1-6 COMMITTEE VOTE

| | Yea | Nay | Absent | PNV |
|------|-----|-----|--------|-----|
| 1-7 | | | | |
| 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 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to certain promotional activities by the holders of
 1-20 certain alcoholic beverage permits and licenses.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 108.061, Alcoholic Beverage Code, is
 1-23 amended to read as follows:

1-24 Sec. 108.061. SWEEPSTAKES PROMOTIONS AUTHORIZED. (a)
 1-25 Notwithstanding the prohibition against prizes given to a consumer
 1-26 in Section 108.06 and subject to the rules of the commission, a
 1-27 manufacturer, ~~or~~ nonresident manufacturer, or brewer may offer a
 1-28 prize to a consumer of legal drinking age if the offer is a part of a
 1-29 promotional sweepstakes activity.

1-30 (b) A purchase or entry fee may not be required of any person
 1-31 to enter in a sweepstakes authorized under this section.

1-32 (c) A person affiliated with the alcoholic beverage
 1-33 industry may not receive a prize from a sweepstakes authorized
 1-34 under this section ~~[promotion]~~.

1-35 (d) A prize awarded under this section may include food,
 1-36 beverages, entertainment, recreation, gifts, or attendance at a
 1-37 private event at a permitted or licensed premises for the winners of
 1-38 the sweepstakes and other guests of the sponsor of the event. The
 1-39 name or location of the premises where a private event described by
 1-40 this subsection is held may not be mentioned in any advertising
 1-41 related to the sweepstakes.

1-42 (e) If a licensee or permittee conducts a private event
 1-43 authorized by Subsection (d) at a retailer's premises, the licensee
 1-44 or permittee shall pay the retailer the fair market value for the
 1-45 use of the premises. The retailer must retain control of the sale
 1-46 and service of alcoholic beverages at the private event.

1-47 (f) A sweepstakes authorized under this section may be
 1-48 conducted at a permitted or licensed premises and the prize may be
 1-49 awarded to the winners at the permitted or licensed premises at
 1-50 which the sweepstakes is conducted.

1-51 SECTION 2. This Act takes effect September 1, 2017.

1-52 * * * * *