

1-1 By: Parker S.B. No. 1378
 1-2 (In the Senate - Filed February 18, 2025; March 6, 2025,
 1-3 read first time and referred to Committee on State Affairs;
 1-4 March 31, 2025, reported favorably by the following vote: Yeas 9,
 1-5 Nays 0; March 31, 2025, 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			X	
1-18	X			

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

1-21 relating to the powers of certain nonresident seller's permit
 1-22 holders who also hold a winery permit.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 37.07, Alcoholic Beverage Code, is
 1-25 amended to read as follows:

1-26 Sec. 37.07. PROHIBITED ACTIVITIES. (a) No holder of a
 1-27 nonresident seller's permit, nor any officer, director, agent, or
 1-28 employee of the holder, nor any affiliate of the holder, regardless
 1-29 of whether the affiliation is corporate or by management,
 1-30 direction, or control, may do any of the following:

1-31 (1) hold or have an interest in the permit, business,
 1-32 assets, or corporate stock of a person authorized to import liquor
 1-33 into this state for the purpose of resale unless:

1-34 (A) the interest was acquired on or before
 1-35 January 1, 1941;

1-36 (B) [~~or unless~~] the permittee is a Texas
 1-37 corporation holding a manufacturer's license and a brewer's permit
 1-38 issued before April 1, 1971; or

1-39 (C) the permittee holds a winery permit that was
 1-40 first issued on or before May 1, 2010, for a winery whose premises
 1-41 is located in a municipality:

1-42 (i) with a population of more than 130,000
 1-43 and less than 150,000; and

1-44 (ii) located in three counties, one of
 1-45 which has a population of more than two million and less than three
 1-46 million;

1-47 (2) fail to make or file a report with the commission
 1-48 as required by a rule of the commission;

1-49 (3) sell liquor for resale inside this state that
 1-50 fails to meet the standards of quality, purity, and identity
 1-51 prescribed by the commission;

1-52 (4) advertise any liquor contrary to the laws of this
 1-53 state or to the rules of the commission, or sell liquor for resale
 1-54 in this state in violation of advertising or labeling rules of the
 1-55 commission;

1-56 (5) sell liquor for resale inside this state or cause
 1-57 it to be brought into the state in a size of container prohibited by
 1-58 this code or by rule of the commission;

1-59 (6) solicit or take orders for liquor from a person not
 1-60 authorized to import liquor into this state for the purpose of
 1-61 resale;

2-1 (7) induce, persuade, or influence, or attempt to
2-2 induce, persuade, or influence, a person to violate this code or a
2-3 rule of the commission, or conspire with a person to violate this
2-4 code or a rule of the commission; or

2-5 (8) exercise a privilege granted by a nonresident
2-6 seller's permit while an order or suspension against the permit is
2-7 in effect.

2-8 (b) The holder of a nonresident seller's permit who holds a
2-9 winery permit or whose affiliate holds a winery permit may not sell
2-10 wine to the holder of the winery permit.

2-11 SECTION 2. This Act takes effect September 1, 2025.

2-12 * * * * *