

Chapter 160

H.B. No. 2097

AN ACT

relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.

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

SECTION 1. Section 74.08(a), Alcoholic Beverage Code, is amended to read as follows:

(a) In addition to the activities authorized by Section 74.01, the holder of a brewpub license who holds a wine and beer retailer's permit and whose sale of beer, ale, or malt liquor consists only of beer, ale, or malt liquor [~~who sells alcoholic beverages~~] manufactured [~~only~~] on the brewpub's premises may:

(1) sell malt liquor or ale produced under the license to those retailers or qualified persons to whom the holder of a general class B wholesaler's permit may sell malt liquor or ale under Section 20.01; and

(2) sell beer produced under the license to:

(A) those retailers to whom the holder of a general distributor's license may sell beer under Section 64.01; or

(B) qualified persons to whom the holder of a general distributor's license may sell beer for shipment and consumption outside the state under Section 64.01.

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

Don Patash
President of the Senate

Joe Straus
Speaker of the House

I certify that H.B. No. 2097 was passed by the House on April 26, 2017, by the following vote: Yeas 146, Nays 1, 1 present, not voting.

Robert Harvey
Chief Clerk of the House

I certify that H.B. No. 2097 was passed by the Senate on May 18, 2017, by the following vote: Yeas 28, Nays 2.

Datsy Spaw
Secretary of the Senate

APPROVED: 5-26-2017
Date

Greg Abbott
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
7 PM O'CLOCK
MAY 26 2017
RRP
Secretary of State

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

May 4, 2017

TO: Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB2097** by Geren (Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to require the holder of a brewpub license who holds a wine and beer retailer's permit and whose sale of beer, ale, or malt liquor consists only of beer, ale, or malt liquor manufactured on the brewpub's premises to sell beer, ale, or malt liquor to certain retailers. It is assumed the cost to implement the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, AI, FR, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION
Revision 1

April 13, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2097 by Geren (Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to require the holder of a brewpub license who holds a wine and beer retailer's permit and whose sale of beer, ale, or malt liquor consists only of beer, ale, or malt liquor manufactured on the brewpub's premises to sell beer, ale, or malt liquor to certain retailers. It is assumed the cost to implement the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission
LBB Staff: UP, CL, AI, FR, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

April 5, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2097 by Geren (Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to require the holder of a brewpub license who holds a wine and beer retailer's permit and whose sale of beer, ale, or malt liquor consists only of beer, ale, or malt liquor manufactured on the brewpub's premises to sell beer, ale, or malt liquor to certain retailers. It is assumed the cost to implement the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, AI, FR

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION
Revision 1

April 12, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2097 by Geren (Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to require the holder of a brewpub license who holds a wine and beer retailer's permit to limit alcohol sales to beer, ale, or malt liquor manufactured on the brewpub's premises in order to sell to certain retailers. It is assumed the cost to implement the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, AI, FR, SD

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 85TH LEGISLATIVE REGULAR SESSION

March 24, 2017

TO: Honorable John Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB2097 by Geren (Relating to the sale of malt liquor, ale, and beer by the holder of a brewpub license.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to require the holder of a brewpub license who holds a wine and beer retailer's permit to limit alcohol sales to beer, ale, or malt liquor manufactured on the brewpub's premises in order to sell to certain retailers. It is assumed the cost to implement the provisions of the bill could be absorbed within existing resources.

The bill would take effect September 1, 2017.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, AI, FR