

## **BILL ANALYSIS**

Senate Research Center  
86R19804 BEE-F

C.S.S.B. 1232  
By: Creighton  
Business & Commerce  
4/1/2019  
Committee Report (Substituted)

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, holders of a wine and beer retailer's permit can deliver malt beverages with five percent alcohol by volume to a customer's home. S.B. 1232 amends the Alcoholic Beverage Code to grant eligibility for the holder of a wine and beer retailer's permit to apply for a local cartage permit. With the local cartage permit, the holder of a wine and beer retailer's permit may deliver wine and malt beverages above five percent alcohol by volume to customers' homes, in addition to beer delivery that is already allowed. (Original Author's/Sponsor's Statement Of Intent)

C.S.S.B. 1232 amends current law relating to the delivery of alcoholic beverages by the holder of a wine and beer retailer's permit.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Chapter 25, Alcoholic Beverage Code, by adding Section 25.15, as follows:

Sec. 25.15. DELIVERIES AND COLLECTIONS. Authorizes the holder of a wine and beer retailer's permit who is also the holder of a local cartage permit to make deliveries to and collections from ultimate consumers in the same manner as the holder of a package store permit under Section 22.03 (Deliveries to Customers).

SECTION 2. Amends Section 43.01, Alcoholic Beverage Code, by adding Subsection (c) to authorize a package store, wine only package store, or wine and beer retailer's permittee who also holds a local cartage permit to make deliveries to and collections from customers in accordance with Section 22.03, 24.03 (Deliveries and Collections), or 25.15, as appropriate.

SECTION 3. Amends Section 43.04, Alcoholic Beverage Code, as follows:

Sec. 43.04. ELIGIBILITY FOR PERMIT. Authorizes the Texas Alcoholic Beverage Commission to issue a local cartage permit to a warehouse or transfer company or to a holder of a package store, wine only package store, wine and beer retailer's, or local distributor's permit.

SECTION 4. Amends Section 74.01, Alcoholic Beverage Code, by adding Subsection (h) to provide that this section (Authorized Activities) does not authorize the holder of a brewpub license who also holds a wine and beer retailer's permit to deliver alcoholic beverages directly to ultimate consumers for off-premise consumption at a location other than the licensed premises.

SECTION 5. Effective date: September 1, 2019.