

BILL ANALYSIS

Senate Research Center

S.B. 1472
By: Whitmire
Business & Commerce
4/13/2005
As Filed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

When beers are brewed they are naturally carbonated during the fermentation process. The carbon dioxide (CO₂) produced during fermentation is, at the very highest purity levels, absolutely pure. CO₂ is required to "push" beer out of a keg, through the beer lines, and out of the faucet into the glass. CO₂ used at retail (cylinder or bulk) may have impurities that occur naturally, such as hydrocarbons and/or sulphur compounds. Cylinder, compressed, or delivered CO₂ may have contaminants such as water, rust, or soda syrups, which may be picked up during the manufacturing process, transportation, storage, or handling. A CO₂ filter installed at retail is designed to provide protection from impurities and/or containments to prevent them from contaminating draught beer when it is dispensed.

As proposed, S.B. 1472 authorizes a manufacturer or distributor of beer to provide coil cleaning services to beer retailers and authorizes the Texas Alcoholic Beverage Commission to promulgate rules regarding the cleaning and maintenance of beer draught systems.

RULEMAKING AUTHORITY

Rulemaking authority previously designated to the Texas Alcoholic Beverage Commission is modified in SECTION 1 (Section 108.04, Alcoholic Beverage Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 108.04, Alcoholic Beverage Code, to authorize the Texas Alcoholic Beverage Commission (TABC) to promulgate rules required to set definite limitations consistent with the general provisions of this code, relaxing the restrictions of Sections 102.07, 102.14, 102.15, 108.06, with respect to the cleaning and maintenance of beer draught systems, rather than the cleaning and maintenance of coil connections for dispensing draught beer.

SECTION 2. Amends Subchapter A, Chapter 108, Alcoholic Beverage Code, by adding Section 108.041, as follows:

Sec. 108.041. CLEANING SERVICE PROVIDED TO RETAILERS. Authorizes a manufacturer or distributor of beer to provide coil cleaning service, including carbon dioxide filters, to beer retailers for the purposes described under Section 108.04(3). Requires the cost of providing the carbon dioxide filters to be borne by the manufacturer.

SECTION 3. Requires TABC to adopt rules implementing Section 108.041, Alcoholic Beverage Code, as added by this Act, not later than January 1, 2006.

SECTION 4. Effective date: September 1, 2005.