

AN ACT

relating to certain promotional activities by the holders of certain alcoholic beverage permits and licenses.

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

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

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

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

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

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

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

6       (f) A sweepstakes authorized under this section may be  
7 conducted at a permitted or licensed premises and the prize may be  
8 awarded to the winners at the permitted or licensed premises at  
9 which the sweepstakes is conducted.

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

---

President of the Senate

---

Speaker of the House

I certify that H.B. No. 3003 was passed by the House on May 4, 2017, by the following vote: Yeas 143, Nays 0, 2 present, not voting.

---

Chief Clerk of the House

I certify that H.B. No. 3003 was passed by the Senate on May 24, 2017, by the following vote: Yeas 30, Nays 1.

---

Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

---

Governor