

Bill Summary
1st Session of the 59th Legislature

Bill No.:	SB 796
Version:	HASB
Author:	Sen. Coleman
Date:	05/18/2023

Bill Analysis

SB 796 requires the report submitted to the ABLE Commission relating to the delivery of wine to any person in the state to be submitted quarterly and to contain evidence of a signature by a person 21 years of age or older for each completed shipment as well as the name and license number of the common or permit carrier engaged in the shipment. The measure also provides that no express company, common carrier, or contract carrier nor any representative, agent, or employee on behalf of an express company, common carrier, or contract carrier shall knowingly deliver any shipping container that fails to comply with provisions of law relating to reporting requirements to the ABLE Commission. Such entities are also prohibited from shipping any container that carries or transports alcoholic beverages to persons under the 21 years of age. Such entities shall be subject to a maximum fine of \$1,500.00 for the first violation, \$2,500.00 for the second violation, and \$5,000.00 for third and subsequent violations. An express company, common carrier, and contract carrier may be held vicariously liable for the actions of its representatives, agents, and employees. The measure provides that a common carrier that willfully refuses to file a report under this subsection shall be fined a penalty of up to \$500.00. A common carrier shall not deliver a shipment of wine unless the carrier has verified the validity of the Direct Wine Shipper's Permit prior to accepting shipment. The Commission is required to notify common carriers of all shipments it has good cause to believe were made unlawfully into this state whether those made through a licensed shipper, fulfillment providers, or an unlicensed entity.

House Amendments

HA's to SB 796 adds language providing for common carriers to be fined \$500.00 for willfully failing to complete a report.

Prepared by: Kalen Taylor