

## **BILL ANALYSIS**

H.B. 2299  
By: Thompson, Senfronia  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties contend that an increase in malt beverage producers has greatly increased the number of products submitted for testing to verify the alcohol content of such beverages that is required for their introduction into Texas, resulting in longer processing times and encumbering market introductions of new and seasonal beverages. H.B. 2299 seeks to address this issue by providing for the testing of alcoholic beverage samples to verify the alcohol content of the beverages by certain certified laboratories.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2299 amends the Alcoholic Beverage Code to include a laboratory certified by the U.S. Alcohol and Tobacco Tax and Trade Bureau or its successor agency as qualified for the analysis of beer for export among the entities authorized to test a sample of a beverage or a sample of the same type and quality of a beverage to verify the alcohol content of the beverage for purposes of a person obtaining prior approval to ship or cause to be shipped into Texas, import into Texas, manufacture and offer for sale in Texas, or distribute, sell, or store in Texas any beer, ale, or malt liquor. The bill removes the specification that an independent laboratory performing such a test be reputable. The bill replaces the requirement that the Texas Alcoholic Beverage Commission by rule establish the procedures for accepting analysis of beer, ale, or malt liquor by an independent laboratory with the authorization to require proof by affidavit or otherwise that demonstrates the independence of an independent laboratory performing such a test.

### **EFFECTIVE DATE**

September 1, 2017.