CHAPTER 346

H.B. No. 1084

AN ACT
relating to shipment of wine to ultimate consumers.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 16.09(e), Alcoholic Beverage Code, is amended to read as follows:

(e) The holder of a winery permit may not:

(1) sell or ship wine to a minor;

(2) deliver wine to a consumer using a carrier that does not hold a carrier’s permit under this code; or

(3) deliver to the same consumer in this state more than nine [three] gallons of wine within any calendar month or more than 36 gallons of wine within any 12-month period [30-day period to the same consumer in this state].

SECTION 2. Section 54.02, Alcoholic Beverage Code, is amended to read as follows:

Sec. 54.02. PROHIBITED ACTIVITIES. The holder of an out-of-state winery direct shipper’s permit may not:

(1) sell or ship wine to a minor;

(2) deliver wine to a consumer using a carrier that does not hold a carrier’s permit under this code;

(3) deliver to the same consumer in this state more than nine [three] gallons of wine within any calendar month or more than 36 gallons of wine within any 12-month period [30-day period to the same consumer in this state]; or

(4) sell to ultimate consumers more than 35,000 gallons of wine annually.

SECTION 3. This Act takes effect September 1, 2009.

Passed by the House on April 8, 2009: Yeas 146, Nays 0, 1 present, not voting; the House concurred in Senate amendments to H.B. No. 1084 on May 23, 2009: Yeas 144, Nays 0, 2 present, not voting; passed by the Senate, with amendments, on May 19, 2009: Yeas 30, Nays 0.

Approved June 19, 2009.
Effective September 1, 2009.

CHAPTER 347

H.B. No. 1093

AN ACT
relating to oversight of regional poison control centers and the poison control network.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 771.031(b), Health and Safety Code, is amended to read as follows:

(b) The following individuals serve as nonvoting ex officio members:

(1) the executive director of the Public Utility Commission of Texas, or an individual designated by the executive director;