

BILL ANALYSIS

Senate Research Center

H.B. 1948
By: Keel (Ogden)
State Affairs
5/4/2001
Engrossed

DIGEST AND PURPOSE

Currently, many large producers within the Texas wine industry typically sell most of their product through wholesale distributors, but some smaller producers do not. In certain dry areas, current law does not allow the preparation of a ballot to permit voting for or against the legal sale of wine on the premises of a holder of a winery permit. H.B. 1948 authorizes local option elections in dry areas to allow for the sale of wine by the holder of a winery permit.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 251.11, Alcoholic Beverage Code, by amending Subsection (a) and adding Subsection (c), to add an exception to Subsection (a). Requires a petition for a local option election related to the legalization of the sale of wine on the premises of a holder of a winery permit to have the actual signatures, residence addresses, and voter registration certificate numbers of a number of qualified voters of the political subdivision equal to 25 percent of the registered voters in the subdivision who voted in the most recent general election.

SECTION 2. Amends Sections 251.14(b) and (e), Alcoholic Beverage Code, to require the ballot, in certain areas, to be prepared to permit voting for or against one of certain enumerated issues, including “the legal sale of wine on the premises of a holder of a winery permit.” Requires the ballot, in certain other areas, to be prepared to permit voting for or against one of certain issues in any prohibitory election, including “the legal sale of wine on the premises of a holder of a winery permit.”

SECTION 3. Effective date: September 1, 2001.