

BILL ANALYSIS

Senate Research Center
2001S0714/1 03/05/01

C.S.S.B. 1127
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Business & Commerce
3/28/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Current law restricts the sale of distilled spirits in containers of less than six fluid ounces. C.S.S.B. 1127 allows adults to purchase smaller containers of distilled spirits in package stores.

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 101.46, Alcoholic Beverage Code, as follows:

- (a) Provides that except as provided by Subsections (b), (c), and (d) of this section, no person may import, sell, or possess with intent to sell any liquor in a container with a capacity of less than 1.6, rather than six, fluid ounces. Requires a container of liquor offered for sale that has a capacity of less than six fluid ounces to substantially conform to the labeling requirements of the Bureau of Alcohol, Tobacco, and Firearms for larger containers in which liquor is sold. Requires holders of distillers or rectifier's permits wishing to sell liquor bottled in containers of less than six fluid ounces to wholesalers to sell such containers of liquor to wholesalers in units of unbroken, sealed cases. Requires wholesalers to sell liquor bottled in containers of less than six ounces to package stores in units of unbroken, sealed cases. Requires containers of liquor with a capacity of less than six fluid ounces offered for sale in a package store to be sold in units of sealed packages featuring multiple bottles of liquor.
- (d) Provides that spirit coolers, as described by the definition of "distilled spirits" in Section 1.04 of this code, may be sold in containers with a capacity of less than 355 milliliters as well as in containers with any other capacity authorized by this code for distilled spirits.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 1127, Section 101.46(a), Alcoholic Beverage Code, to require holders of distillers or rectifier's permits and wholesalers who sell containers of liquor bottled in containers of less than six fluid ounces to sell such containers in units of unbroken sealed cases. Requires containers of liquor offered for sale of less than six fluid ounces offered for sale in a package store to be sold in units of sealed packages featuring multiple bottles of liquor.