

BILL ANALYSIS

Senate Research Center

H.B. 2593

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Business & Commerce

5/22/2003

Engrossed

DIGEST AND PURPOSE

H.B. 2593 authorizes a winery permitted to operate in Texas to manufacture and sell wine for consumption on or off winery premises or to dispense wine without charge, for tasting purposes.

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 Sections 16.01(a) and (c), Alcoholic Beverage Code, as follows:

- (a) Authorizes the holder of a winery permit to sell wine in this state to permit holders authorized to purchase and sell wine and to sell wine to ultimate consumers for consumption on the winery premises or in unbroken packages for off-premises consumption in an amount not to exceed 35,000, rather than 25,000, gallons annually.
- (c) Deletes text prohibiting a wine sampling from being held in a location where a wine sampling is otherwise prohibited by law.

SECTION 2. Amends Chapter 16, Alcoholic Beverage Code, by adding Section 16.011, as follows:

Sec. 16.011. PREMISES IN DRY AREA. Authorizes a winery permit to be issued for premises in a dry area. Authorizes a holder of a permit under this section to:

- (1) manufacture wine;
- (2) sell or dispense wine to an ultimate consumer only if the wine is:
 - (A) manufactured in this state; and
 - (B) at least 75 percent by volume fermented juice of grapes or other fruit grown in this state; and
- (3) sell wine in this state to:
 - (A) permit holders authorized to sell wine to the ultimate consumer in unbroken packages for off-premises consumption in an amount not to exceed 35,000 gallons annually; and
 - (B) holders of wholesaler's permits, winery permits, and wine bottler's permits.

SECTION 3. Repealer: Sections 16.01(d) and 16.05, Alcoholic Beverage Code.

SECTION 4. Provides that this Act takes effect on the date on which the constitutional amendment proposed by the 78th Legislature, Regular Session, 2003, authorizing the holder of a winery permit to manufacture and sell certain wine on the winery premises and to dispense

certain wine without charge for tasting on the winery premises takes effect. Provides that if that amendment is not approved by the voters, this Act has no effect.