

## **BILL ANALYSIS**

Senate Research Center  
78R12225 AJA-D

H.J.R. 85  
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Business & Commerce  
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Engrossed

### **DIGEST AND PURPOSE**

The growth of the Texas wine industry continues to have a positive effect on the state's economy. Removing local restrictions on the dispensing of wine may lead to increased tourism and a greater economic benefit for the state. H.J.R. 85 requires the submission of a constitutional amendment to allow Texas wineries to manufacture and sell wine on the wineries' premises and 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 Section 20, Article XVI, Texas Constitution, by adding Subsection (d), to authorize a winery, notwithstanding Subsection (b) of this section, authorized under general law to operate in this state, regardless of whether the winery is located in an area in which the possession or sale of intoxicating liquors is restricted or prohibited, to manufacture wine and to sell wine for consumption on or off the winery premises or to dispense wine without charge, for tasting purposes, for consumption on the winery premises. Authorizes a winery to sell wine to an ultimate consumer only if the wine is manufactured in this state and at least 75 percent of its volume is derived from fermented juice of grapes or other fruit grown in this state.

SECTION 2. Requires this proposed constitutional amendment to be submitted to the voters at an election to be held November 4, 2003. Sets forth the required content of the ballot.