

BILL ANALYSIS

Senate Research Center

S.B. 858
By: Eltife
Business & Commerce
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Enrolled

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

State law requires malt beverages sold in Texas to obtain label approval. Brewpubs manufacture malt beverages. As a result of S.B. 515, 83rd Legislature, Regular Session, 2013, and other legislation from the 83rd Legislature, brewpubs were given the authority to sell their products to distributors and other retailers. Since the 83rd session, brewpubs have been required to obtain label approval before selling their product to distributors and other retailers to ensure the product is properly registered with the state for label and tax purposes.

The Texas Alcoholic Beverage Commission updated its Administrative Rules in August 2014 to reflect this change. Section 101.67 (Prior Approval of Malt Beverages) of the Alcoholic Beverage Code lists the types of permittees and licenses that are allowed to apply for and receive label approval on beer, ale, or malt liquor. S.B. 858 adds brewpub licensees to the list, thereby codifying what has been in practice since the 83rd Legislature.

S.B. 858 amends current law relating to license holders authorized to obtain label approval for beer, ale, and malt liquor.

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 101.67(b), Alcoholic Beverage Code, to authorize only a brewer's or nonresident brewer's permittee, a manufacturer's or nonresident manufacturer's licensee, or a brewpub licensee to apply for and receive label approval on beer, ale, or malt liquor.

SECTION 2. Effective date: upon passage or September 1, 2015.