

BILL ANALYSIS

Senate Research Center
86R13868 MCK-F

H.B. 3768
By: Burrows et al. (West)
Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

The GO Texan Program, administered under the direction of the Texas Department of Agriculture, promotes products, culture, and communities that call Texas home. Each year GO Texan products are showcased at the State Fair of Texas to millions of visitors from all over the world. This is an exceptional opportunity to market Texas products that promote jobs and economic growth of our great state. Under the current alcohol regulations, each producer of alcohol must obtain additional licensure or permissions to promote, market and serve samples of their product at the State Fair. For some products, the cost and complication of obtaining permission outweigh the benefits or make it completely impossible due to the required involvement of a retailer license. This proposed legislation is simple and straightforward. It enables a licensed Texas alcohol producer the ability to safely and responsibly promote and offer tastings at the State Fair of Texas under the direction of the GO Texan program without additional licensure, permissions, or costs to the Texas Alcoholic Beverage Commission.

H.B. 3768 amends current law relating to authorizing tastings by certain alcoholic beverage manufacturers at certain events.

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 Subchapter D, Chapter 109, Alcoholic Beverage Code, by adding Section 109.541, as follows:

Sec. 109.541. TASTINGS AT CERTAIN FESTIVALS AND CIVIC CELEBRATIONS. Authorizes a person who holds a license or permit to manufacture alcoholic beverages in this state to conduct product tastings without the issuance of another license or permit under this code if those tastings are conducted:

- (1) as part of and under the direction of the "Go Texan" Partner Program under Chapter 46 ("Go Texan" Partner Program), Agriculture Code; and
- (2) during a festival or civic celebration that:
 - (A) has been held near-annually for at least 100 years; and
 - (B) is at least 21 days long.

SECTION 2. Effective date: September 1, 2019.