

1-1 By: Estes, Burton, Huffines S.B. No. 326
 1-2 (In the Senate - Filed January 21, 2015; February 2, 2015,
 1-3 read first time and referred to Committee on Business and Commerce;
 1-4 April 23, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 6, Nays 1; April 23, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14			X	
1-15	X			
1-16		X		
1-17			X	

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 326 By: Watson

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to the amount of wine certain wineries may sell directly to
 1-22 consumers.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 16.01(a), Alcoholic Beverage Code, is
 1-25 amended to read as follows:

1-26 (a) Except as provided by Section 16.011, the holder of a
 1-27 winery permit may:

1-28 (1) manufacture, bottle, label, and package wine
 1-29 containing not more than 24 percent alcohol by volume;

1-30 (2) manufacture fruit brandy and:

1-31 (A) use that brandy on the winery permit holder's
 1-32 permitted premises for fortifying purposes only; or

1-33 (B) sell that brandy to other winery permit
 1-34 holders;

1-35 (3) import or buy fruit brandy from a permit holder
 1-36 authorized to manufacture fruit brandy and use that brandy on the
 1-37 winery permit holder's permitted premises for fortifying purposes
 1-38 only;

1-39 (4) sell wine in this state to or buy wine from permit
 1-40 holders authorized to purchase and sell wine, including holders of
 1-41 wholesaler's permits, winery permits, and wine bottler's permits;

1-42 (5) sell wine to ultimate consumers ~~+~~
 1-43 ~~[(A)]~~ for consumption on the winery premises;

1-44 (6) sell wine manufactured or bottled by the winery
 1-45 permit holder to ultimate consumers in unbroken packages for
 1-46 off-premises consumption in an amount not to exceed 155,000 gallons
 1-47 annually;

1-48 (7) sell wine that is not manufactured or bottled by
 1-49 the winery permit holder to ultimate consumers ~~or~~

1-50 ~~[(B)]~~ in unbroken packages for off-premises
 1-51 consumption in an amount not to exceed 25,000 ~~[35,000]~~ gallons
 1-52 annually;

1-53 (8) ~~[(6)]~~ sell the wine outside this state to
 1-54 qualified persons;

1-55 (9) ~~[(7)]~~ blend wines;

1-56 (10) ~~[(8)]~~ dispense free wine for consumption on the
 1-57 winery premises; and

1-58 (11) ~~[(9)]~~ purchase and import wine from the holder
 1-59 of a nonresident seller's permit.

1-60 SECTION 2. Section 54.02, Alcoholic Beverage Code, is

2-1 amended to read as follows:

2-2 Sec. 54.02. PROHIBITED ACTIVITIES. The holder of an
2-3 out-of-state winery direct shipper's permit may not:

2-4 (1) sell or ship wine to a minor;

2-5 (2) deliver wine to a consumer using a carrier that
2-6 does not hold a carrier's permit under this code;

2-7 (3) deliver to the same consumer in this state more
2-8 than nine gallons of wine within any calendar month or more than 36
2-9 gallons of wine within any 12-month period; or

2-10 (4) sell to ultimate consumers more than 155,000
2-11 [~~35,000~~] gallons of wine annually.

2-12 SECTION 3. This Act takes effect September 1, 2015.

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