

1-1 By: Nelson S.B. No. 881
 1-2 (In the Senate - Filed March 2, 2015; March 4, 2015, read
 1-3 first time and referred to Committee on Finance; April 9, 2015,
 1-4 reported adversely, with favorable Committee Substitute by the
 1-5 following vote: Yeas 13, Nays 0; April 9, 2015, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Nelson	X			
1-8 Hinojosa	X			
1-9 Bettencourt	X			
1-10 Eltife	X			
1-11 Hancock	X			
1-12 Huffman	X			
1-13 Kolthorst	X			
1-14 Nichols	X			
1-15 Schwertner	X			
1-16 Seliger	X			
1-17 Taylor of Galveston			X	
1-18 Uresti	X			
1-19 Watson	X			
1-20 West	X			
1-21 Whitmire			X	

1-23 COMMITTEE SUBSTITUTE FOR S.B. No. 881 By: Nelson

1-24 A BILL TO BE ENTITLED
 1-25 AN ACT

1-26 relating to the dedication of certain wine-related revenue.
 1-27 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:
 1-28 SECTION 1. Section 205.03, Alcoholic Beverage Code, is
 1-29 amended by amending Subsections (b), (c), (d), (e), (j), (n), and
 1-30 (p) and adding Subsection (n-1) to read as follows:
 1-31 (b) Notwithstanding Section 205.02, the following revenue
 1-32 may be appropriated for each state fiscal year only as specified by
 1-33 this section:
 1-34 (1) the lesser of:
 1-35 (A) the amount, if any, by which the amount of
 1-36 revenue derived from excise taxes on wine produced in a state other
 1-37 than Texas and any sales taxes collected from holders of
 1-38 out-of-state winery direct shipper's permits as a result of the
 1-39 passage of Senate Bill No. 877 by the 79th Legislature, Regular
 1-40 Session, 2005, according to the most recent projection, as of the
 1-41 beginning of the fiscal year, by the comptroller for the fiscal year
 1-42 exceeds the amount of revenue from those sources for fiscal year
 1-43 2014 [~~2004~~], compounded annually for fiscal years 2015-2025
 1-44 [~~2005-2015~~] by the average percentage by which revenue from those
 1-45 sources increased from one fiscal year to the next between
 1-46 September 1, 2005 [~~1999~~], and August 31, 2013 [~~2003~~]; or
 1-47 (B) \$1 million; and
 1-48 (2) the lesser of:
 1-49 (A) the amount, if any, by which revenue derived
 1-50 from excise taxes on wine produced in this state and sales taxes
 1-51 remitted by holders of winery permits in this state, according to
 1-52 the most recent projection, as of the beginning of the fiscal year,
 1-53 by the comptroller for the fiscal year exceeds the amount of revenue
 1-54 from those sources for fiscal year 2014 [~~2004~~], compounded annually
 1-55 for fiscal years 2015-2025 [~~2005-2015~~] by the average percentage by
 1-56 which revenue from those sources increased from one fiscal year to
 1-57 the next between September 1, 2005 [~~1999~~], and August 31, 2013
 1-58 [~~2003~~]; or
 1-59 (B) \$1 million.
 1-60 (c) Out of the amounts available under Subsections (b)(1) and

2-1 (2) for a fiscal year, the lesser of \$830,000 [~~\$50,000~~] or the total
2-2 amount available under those subdivisions may be appropriated only
2-3 to ~~[the]~~ Texas A&M AgriLife [~~Cooperative~~] Extension Service [~~for~~
2-4 ~~extension viticulture operations~~].

2-5 (d) If the amount available for a fiscal year under
2-6 Subsections (b)(1) and (2) exceeds \$830,000 [~~\$50,000~~], the lesser
2-7 of \$365,000 [~~\$50,000~~] or the total amount available under those
2-8 subdivisions may be appropriated only to the Texas Tech University
2-9 Viticulture and Enology program [~~Agricultural Experiment Station~~
2-10 ~~for viticulture research~~].

2-11 (e) If the amount available for a fiscal year under
2-12 Subsections (b)(1) and (2) exceeds \$1,195,000 [~~\$100,000~~], the
2-13 lesser of the amount remaining under Subsection (b)(2) or \$150,000
2-14 [~~\$65,000~~] may be appropriated only to the Texas Wine Marketing
2-15 Research Institute at Texas Tech University.

2-16 (j) If the amount available for a fiscal year under
2-17 Subsections (b)(1) and (2) exceeds the maximum amount that may be
2-18 appropriated under Subsections (c), (d), and (e) [~~(c)-(g)~~], the
2-19 lesser of the amount remaining under Subsections (b)(1) and (2) or
2-20 \$150,000 [~~\$50,000~~] may be appropriated only for distribution to the
2-21 T. V. Munson Viticulture and Enology Center of the ~~[at]~~ Grayson
2-22 County Junior [~~Community~~] College District to fund educational
2-23 programs [~~the associate degree program~~] at the center.

2-24 (n) If revenue [~~Revenue~~] derived under Subsection (b)(2) is
2-25 [~~and~~] not otherwise appropriated under this section, the lesser of
2-26 that remaining revenue or \$300,000 [~~Subsections (c)-(k)~~] may be
2-27 appropriated only for deposit into the wine industry development
2-28 fund:

2-29 (1) for the development of technologies, strategies,
2-30 and practices for mitigating or eliminating the effects of frost,
2-31 pestilence, or infestation on grapevines for which money donated
2-32 from private sources under Chapter 50B, Agriculture Code, is also
2-33 spent; and

2-34 (2) in an amount that does not exceed the amount of the
2-35 donated money described by Subdivision (1) that is spent for the
2-36 same purposes [~~of increasing the economic impact of the Texas wine~~
2-37 ~~producing industry on the state~~].

2-38 (n-1) Any revenue available for a fiscal year under
2-39 Subsection (b) that is not otherwise appropriated as authorized by
2-40 this section may be appropriated only to the Department of
2-41 Agriculture for deposit into the wine industry development fund
2-42 for:

2-43 (1) the development of technologies, strategies, and
2-44 practices for mitigating or eliminating the effects of frost,
2-45 pestilence, or infestation on grapevines; and

2-46 (2) the department's direct and indirect costs
2-47 associated with administering programs under Subsection (n) or
2-48 Subdivision (1) of this subsection.

2-49 (p) This section expires September 1, 2025 [~~2015~~].

2-50 SECTION 2. Sections 205.03(a), (f), (g), (h), (i), (k),
2-51 (l), (m), and (o), Alcoholic Beverage Code, are repealed.

2-52 SECTION 3. This Act takes effect September 1, 2015.

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