

1-1 By: Thompson of Harris (Senate Sponsor - Creighton) H.B. No. 2299
 1-2 (In the Senate - Received from the House April 18, 2017;
 1-3 April 19, 2017, read first time and referred to Committee on
 1-4 Business & Commerce; May 9, 2017, reported favorably by the
 1-5 following vote: Yeas 5, Nays 0; May 9, 2017, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Creighton			X	
1-9 Campbell	X			
1-10 Estes	X			
1-11 Nichols	X			
1-12 Schwertner			X	
1-13 Taylor of Galveston			X	
1-14 Whitmire			X	
1-15 Zaffirini	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to verification of alcohol content for prior approval of
 1-20 malt beverages.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Sections 101.67(a), (d), and (e), Alcoholic
 1-23 Beverage Code, are amended to read as follows:

1-24 (a) No person may ship or cause to be shipped into the state,
 1-25 import into the state, manufacture and offer for sale in the state,
 1-26 or distribute, sell, or store in the state any beer, ale, or malt
 1-27 liquor unless:

1-28 (1) a sample of the beverage or a sample of the same
 1-29 type and quality of beverage has been first tested to verify the
 1-30 alcohol content of the beverage by:

1-31 (A) [submitted to] an independent [, reputable]
 1-32 laboratory;

1-33 (B) a laboratory certified by the United States
 1-34 Alcohol and Tobacco Tax and Trade Bureau or its successor agency as
 1-35 qualified for the analysis of beer for export; or

1-36 (C) the commission [for analysis to verify the
 1-37 alcohol content of the beverage]; and

1-38 (2) the label of the beverage has been first submitted
 1-39 to the commission or its representative and found to comply with all
 1-40 provisions of this code relating to the labeling of the particular
 1-41 type of beverage.

1-42 (d) If the commission determines that the product tested
 1-43 [analysis provided by the independent laboratory or the sample,
 1-44 and [the] label submitted under [, required by] Subsection (a)
 1-45 comply with the provisions of this code and the rules of the
 1-46 commission, the commission shall issue a certificate of approval
 1-47 upon receipt of a fee in an amount that is sufficient to cover the
 1-48 cost of administering this section. A copy of the certificate
 1-49 shall be kept on file in the office of the commission.

1-50 (e) The commission may require proof by affidavit or
 1-51 otherwise that a laboratory performing a test [by rule shall
 1-52 establish the procedures for accepting analysis of beer, ale, or
 1-53 malt liquor by an independent laboratory] under Subsection
 1-54 (a)(1)(A) is independent [(a)(1)].

1-55 SECTION 2. This Act takes effect September 1, 2017.

1-56 * * * * *