

BILL ANALYSIS

Senate Research Center
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S.B. 1863
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AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Microbreweries have garnered national attraction not just for their special recipes, but as tourist destinations as well. Individuals take tours of breweries with interest in the process of brewing beer and often with intentions of showing support by purchasing beer and merchandise from these breweries. However, current law does not allow microbreweries to offer beer or ale in unbroken containers at the end of the tours. Many professional brewers believe that offering products to tourists for consumption off-premises will provide a marketing benefit and raise the profile of Texas craft brews. The current three-tier system that relies on distributors to get products to the market remains in place.

As proposed, S.B. 1863 amends current law relating to authorizing certain brewers and manufacturers to conduct tours of their premises after which beer or ale is provided to ultimate consumers for off-premises consumption.

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 Chapter 12, Alcoholic Beverage Code, by adding Section 12.07, as follows:

Sec. 12.07. TOUR OF PERMITTED PREMISES. (a) Authorizes the holder of a brewer's permit to give tours of the brewery premises and to charge an admission fee for the tour.

(b) Authorizes the holder of a brewer's permit whose annual production of ale in this state does not exceed, together with the annual production of beer by the holder of a manufacturer's license under Section 62.15 at the same premises, a total of 250,000 barrels to, at the end of a tour of the brewery premises, give ale to tour participants in unbroken packages for off-premises consumption without an additional charge.

(c) Prohibits the total amount of ale a tour participant may receive in a single day under this section, together with the amount of beer the tour participant receives under Section 62.15 at the same premises, from exceeding 48 12-ounce bottles.

(d) Provides that this section does not authorize the holder of a brewer's permit to sell ale to an ultimate consumer.

SECTION 2. Amends Chapter 62, Alcoholic Beverage Code, by adding Section 62.15, as follows:

Sec. 62.15. TOUR OF LICENSED PREMISES. (a) Authorizes the holder of a manufacturer's license to give tours of the manufacturer's premises and to charge an admission fee for the tour.

(b) Authorizes the holder of a manufacturer's license whose annual production of beer in this state does not exceed, together with the annual production of ale by the holder of a brewer's permit under Section 12.07 at the same premises, a total of 250,000 barrels to, at the end of a tour of the manufacturer's premises, give beer to tour participants in unbroken packages for off-premises consumption without an additional charge.

(c) Prohibits the total amount of beer a tour participant may receive in a single day under this section, together with the amount of ale the tour participant receives under Section 12.07 at the same premises, from exceeding 48 12-ounce bottles.

(d) Provides that this section does not authorize the holder of a manufacturer's license to sell beer to an ultimate consumer.

SECTION 3. Effective date: upon passage or September 1, 2011.