

By: Swinford

H.B. No. 47

A BILL TO BE ENTITLED

AN ACT

relating to the shipment of wine by a winery in this state.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 107.12, Alcoholic Beverage Code, is amended to read as follows:

Sec. 107.12. DIRECT SHIPMENT OF WINE. Notwithstanding Section 107.07, a person who purchases wine from ~~while at~~ a winery located in this state may ship or cause to be shipped the wine to the person's residence if the winery verifies that the person purchasing the wine is 21 years of age or older. The person must be present when the wine is delivered to the person's residence.

SECTION 2. Section 110.053(a), Alcoholic Beverage Code, is amended to read as follows:

(a) A person who purchases wine from a winery in this state may ship the wine to a package store that participates in the program. On receipt of the wine, the package store shall notify the purchaser that the wine is available to be picked up by the purchaser at the package store or shipped to the purchaser by the package store ~~[in accordance with:~~

~~[(1) Section 107.12, if the person is physically present at the winery; or~~

~~[(2) this section, if the person is not physically present at the winery].~~

SECTION 3. Section 110.053(b), Alcoholic Beverage Code, is

1 repealed.

2           SECTION 4. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect December 1, 2003.