

## **BILL ANALYSIS**

C.S.H.B. 1510

By: Flores

Licensing & Administrative Procedures  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Current law allows for a wine tasting at package store sites when written notification is provided via U.S. mail to the Texas Alcoholic Beverage Commission 72 hours prior to the event.

This proposal replaces that requirement by providing a posting of written notice on the premises of the permit holder's package store not later than 48 hours prior to the event. It also requires that not more than 20 different products may be made available for tasting at any one time.

The proposal also strikes requirements in current law where not more than two of the categories of either distilled spirits; wine; or beer and coolers may be tasted. Further, the proposal requires that all the empty or open containers of alcoholic beverages used during the tasting be stored in a locked, secure area on the licensed premises.

Publication of the event is authorized via e-mail and on the permit holder's website, in addition to current law advertising practices via on-site communications or direct mail.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Amends SECTION 1 (Sections 52.01(b), (e), (j), (k), Alcoholic Beverage Code by deleting the requirement for written notice be mailed to the commission via U.S. mail. While providing that written notification be posted on the licensed premises of the permit holder's package store not later than 48 hours prior to the event. Also the substitute requires that not more than 20 different products may be made available for tasting at any one time: and, that upon conclusion of the event, all empty or open containers be stored in a locked, secure area on the licensed premises. The substitute further provides for advertising by electronic mail, or on the permit holder's Internet website in addition to the provisions in current law of advertising by on-site communications, or by direct mail.

SECTION 2. Sections 52.01(f), Alcoholic Beverage Code is repealed.

### **EFFECTIVE DATE**

September 1, 2003

### **COMPARISON OF ORIGINAL TO SUBSTITUTE**

The substitute differs from the filed version by reducing the number of hours (from 72 to 48) required for posting notice on the licensed premises of the permit holder's package store. The substitute also has altered Section 52.01(e) of the Alcoholic Beverage Code by adding language to limiting the number of different

products - to 20 - that may be available for tasting, rather than repealing the section entirely as drafted in SECTION 2 of the filed version.