

BILL ANALYSIS

C.S.H.J.R. 85

By: Homer

Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

The growth of the Texas wine industry continues to have a positive effect on the state's economy. Removing local restrictions on the dispensing of wine would lead to increased tourism and a greater economic benefit for the state.

If approved by the voters, CSHJR 85 would allow Texas wineries to manufacture and sell wine on the wineries' premises and dispense wine without charge for tasting purposes.

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

Adds a new subsection (d) to Section 20, Article XVI, Texas Constitution which provides that a winery authorized to operate in Texas, regardless of whether the winery is located in an area in which the possession or sale of intoxicating liquors is restricted or prohibited, may manufacture and sell wine for consumption on or off premisses or may dispense wine without charge for tasting purposes, so long as the wine is manufactured in Texas and contains at least 75 percent by volume juice from grapes or other fruit grown in Texas.

FOR ELECTION

This proposed constitutional amendment shall be submitted to the voters at an election to be held November 4, 2003.

COMPARISON OF ORIGINAL TO SUBSTITUTE

The substitute differs from the original in that it adds "manufacture" to sales of consumption on or off the premisses of the winery.