

By: Goolsby

H.B. No. 2156

A BILL TO BE ENTITLED

AN ACT

relating to the size of containers for certain alcoholic beverages.

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

SECTION 1. Section 101.46(a), Alcoholic Beverage Code, is amended to read as follows:

(a) Except as provided by Subsections (b), (c), and (d) of this section, no person may import, sell, or possess with intent to sell any liquor in a container with a capacity of less than 20 milliliters [~~1.6 fluid ounces~~]. A container of liquor offered for sale that has a capacity of less than six fluid ounces must substantially conform to the labeling requirements of the Bureau of Alcohol, Tobacco, and Firearms for larger containers in which liquor is sold. Holders of distiller's or rectifier's permits wishing to sell liquor bottled in containers of less than six fluid ounces to wholesalers must sell such containers of liquor to wholesalers in units of unbroken, sealed cases. Wholesalers shall sell liquor bottled in containers of less than six fluid ounces to package stores in units of unbroken, sealed cases. Containers of liquor with a capacity of less than six fluid ounces offered for sale in a package store must be sold in units of sealed packages featuring multiple bottles of liquor.

SECTION 2. Section 101.47, Alcoholic Beverage Code, is amended to read as follows:

Sec. 101.47. CARRIER MAY TRANSPORT LIQUOR IN SMALL

1 CONTAINERS. The commission may authorize a common carrier of
2 persons engaged in interstate commerce to transport liquor in
3 containers of less than 20 milliliters [~~six fluid ounces~~] if the
4 liquor is not for sale, use, or consumption in the state.

5 SECTION 3. This Act takes effect September 1, 2003.