

1-1 By: Goolsby (Senate Sponsor - Carona) H.B. No. 2156
1-2 (In the Senate - Received from the House April 28, 2003;
1-3 May 1, 2003, read first time and referred to Committee on Business
1-4 and Commerce; May 23, 2003, reported favorably by the following
1-5 vote: Yeas 8, Nays 0, 1 present not voting; May 23, 2003, sent to
1-6 printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the size of containers for certain alcoholic beverages.
1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 101.46(a), Alcoholic Beverage Code, is
1-12 amended to read as follows:

1-13 (a) Except as provided by Subsections (b), (c), and (d) of
1-14 this section, no person may import, sell, or possess with intent to
1-15 sell any liquor in a container with a capacity of less than 20
1-16 milliliters [~~1.6 fluid ounces~~]. A container of liquor offered for
1-17 sale that has a capacity of less than six fluid ounces must
1-18 substantially conform to the labeling requirements of the Bureau of
1-19 Alcohol, Tobacco, and Firearms for larger containers in which
1-20 liquor is sold. Holders of distiller's or rectifier's permits
1-21 wishing to sell liquor bottled in containers of less than six fluid
1-22 ounces to wholesalers must sell such containers of liquor to
1-23 wholesalers in units of unbroken, sealed cases. Wholesalers shall
1-24 sell liquor bottled in containers of less than six fluid ounces to
1-25 package stores in units of unbroken, sealed cases. Containers of
1-26 liquor with a capacity of less than six fluid ounces offered for
1-27 sale in a package store must be sold in units of sealed packages
1-28 featuring multiple bottles of liquor.

1-29 SECTION 2. Section 101.47, Alcoholic Beverage Code, is
1-30 amended to read as follows:

1-31 Sec. 101.47. CARRIER MAY TRANSPORT LIQUOR IN SMALL
1-32 CONTAINERS. The commission may authorize a common carrier of
1-33 persons engaged in interstate commerce to transport liquor in
1-34 containers of less than 20 milliliters [~~six fluid ounces~~] if the
1-35 liquor is not for sale, use, or consumption in the state.

1-36 SECTION 3. This Act takes effect September 1, 2003.

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