

A JOINT RESOLUTION

1 proposing a constitutional amendment to allow the legislature to
2 authorize and govern the operation of wineries in this state.

3 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 20, Article XVI, Texas Constitution, is
5 amended by adding Subsection (d) to read as follows:

6 (d) The legislature may enact laws and direct the Alcoholic
7 Beverage Commission or its successor to set policies for all
8 wineries in this state, regardless of whether the winery is located
9 in an area in which the sale of wine has or has not been authorized
10 by local option election, for the manufacturing of wine, including
11 the on-premises selling of wine to the ultimate consumer for
12 consumption on or off the winery premises, the buying of wine from
13 or the selling of wine to any other person authorized under general
14 law to purchase and sell wine in this state, and the dispensing of
15 wine without charge, for tasting purposes, for consumption on the
16 winery premises, and for any purpose to promote the wine industry in
17 this state.

18 SECTION 2. This proposed constitutional amendment shall be
19 submitted to the voters at an election to be held September 13,
20 2003. The ballot shall be printed to permit voting for or against
21 the proposition: "A constitutional amendment to allow the
22 legislature to enact laws authorizing and governing the operation
23 of wineries in this state."

President of the Senate

Speaker of the House

I certify that H.J.R. No. 85 was passed by the House on May 6, 2003, by the following vote: Yeas 142, Nays 0, 2 present, not voting; that the House refused to concur in Senate amendments to H.J.R. No. 85 on May 29, 2003, by a non-record vote, and requested the appointment of a conference committee to consider the differences between the two houses; and that the House adopted the conference committee report on H.J.R. No. 85 on June 1, 2003, by the following vote: Yeas 144, Nays 0, 2 present, not voting.

Chief Clerk of the House

H.J.R. No. 85

I certify that H.J.R. No. 85 was passed by the Senate, with amendments, on May 27, 2003, by the following vote: Yeas 31, Nays 0; at the request of the House, the Senate appointed a conference committee to consider the differences between the two houses; and that the Senate adopted the conference committee report on H.J.R. No. 85 on June 1, 2003, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

RECEIVED: _____

Date

Secretary of State