

1-1 By: Homer, et al. (Senate Sponsor - Estes) H.J.R. No. 85
1-2 (In the Senate - Received from the House May 7, 2003;
1-3 May 9, 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 9, Nays 0; May 23, 2003, sent to printer.)

1-6 HOUSE JOINT RESOLUTION

1-7 proposing a constitutional amendment to allow wineries in this
1-8 state to manufacture, sell, and dispense certain wine.

1-9 BE IT RESOLVED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Section 20, Article XVI, Texas Constitution, is
1-11 amended by adding Subsection (d) to read as follows:

1-12 (d) Notwithstanding Subsection (b) of this section, a
1-13 winery authorized under general law to operate in this state,
1-14 regardless of whether the winery is located in an area in which the
1-15 possession or sale of intoxicating liquors is restricted or
1-16 prohibited, may manufacture wine and may sell wine for consumption
1-17 on or off the winery premises or dispense wine without charge, for
1-18 tasting purposes, for consumption on the winery premises. A winery
1-19 may sell wine to an ultimate consumer only if the wine is
1-20 manufactured in this state and at least 75 percent of its volume is
1-21 derived from fermented juice of grapes or other fruit grown in this
1-22 state.

1-23 SECTION 2. This proposed constitutional amendment shall be
1-24 submitted to the voters at an election to be held November 4, 2003.
1-25 The ballot shall be printed to permit voting for or against the
1-26 proposition: "A constitutional amendment to allow wineries in this
1-27 state to manufacture and sell Texas wine on the wineries' premises
1-28 and to dispense Texas wine without charge for tasting on the
1-29 wineries' premises."

1-30 * * * * *