

Suspending limitations on conference committee  
jurisdiction, H.B. No. 2593 (Homer/Estes)

By: Homer

H.R. No. 1754

R E S O L U T I O N

1 BE IT RESOLVED by the House of Representatives of the State of  
2 Texas, 78th Legislature, Regular Session, 2003, That House Rule 13,  
3 Section 9(a), be suspended in part as provided by House Rule 13,  
4 Section 9(f), to enable the conference committee appointed to  
5 resolve the differences on House Bill 2593, relating to winery  
6 permits, to consider and take action on the following matters:

7 (1) House Rule 13, Section 9(a)(1) is suspended to permit  
8 the committee to add "Except as provided by Section 16.011," to  
9 amended Section 16.01(a), Alcoholic Beverage Code.

10 Explanation: The language is necessary to clarify that there  
11 is an exception to a winery's authorized activities and to conform  
12 to language added by the bill relating to the authorized activities  
13 of a winery located in a dry area.

14 (2) House Rule 13, Sections 9(a)(1) and (2) are suspended to  
15 permit the committee to amend and omit text to Section 16.011,  
16 Alcoholic Beverage Code, as added by the bill, so that the section  
17 reads as follows:

18 Sec. 16.011. PREMISES IN DRY AREA. A winery permit may be  
19 issued for premises in an area in which the sale of wine has not been  
20 authorized by a local option election. A holder of a permit under  
21 this section may engage in any activity authorized under Section  
22 16.01 except that the permit holder may sell or dispense wine under  
23 that section only if the wine is:

24 (1) manufactured in this state; and

1           (2) at least 75 percent by volume fermented juice of  
2 grapes or other fruit grown in this state.

3           Explanation: The change is necessary to authorize wineries  
4 located in a dry area of the state to engage in the same activities,  
5 except for selling wine, as wineries located in wet areas of the  
6 state.

7           (3) House Rule 13, Sections 9(a)(1) and (2) are suspended to  
8 permit the committee to amend Section 4 of the bill, so that the  
9 section reads as follows:

10           SECTION 4. This Act takes effect on the date on which the  
11 constitutional amendment proposed by the 78th Legislature, Regular  
12 Session, 2003, authorizing the legislature to authorize and govern  
13 the operation of wineries in this state takes effect. If that  
14 amendment is not approved by the voters, this Act has no effect.

15           Explanation: The change is necessary to conform the language  
16 to the language in the constitutional amendment that must be  
17 approved in order for the bill to take effect.