

1-1 By: Madla S.B. No. 855
1-2 (In the Senate - Filed March 4, 2003; March 10, 2003, read
1-3 first time and referred to Committee on Finance; April 10, 2003,
1-4 reported adversely, with favorable Committee Substitute by the
1-5 following vote: Yeas 13, Nays 0; April 10, 2003, sent to printer.)

1-6 COMMITTEE SUBSTITUTE FOR S.B. No. 855 By: Zaffirini

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

1-9 relating to funding of the Texas Wine Marketing Assistance Program.
1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 5, Alcoholic Beverage
1-12 Code, is amended by adding Section 5.55 to read as follows:

1-13 Sec. 5.55. FUNDING OF TEXAS WINE MARKETING ASSISTANCE
1-14 PROGRAM. (a) Notwithstanding any other law, on or before October
1-15 1 of each fiscal year, the commission shall transfer from funds
1-16 appropriated to the commission \$250,000 to the Department of
1-17 Agriculture to be used by the department to implement the Texas Wine
1-18 Marketing Assistance Program established by Chapter 110.

1-19 (b) The commission in accordance with this subsection may
1-20 recover the amount transferred under Subsection (a) by imposing a
1-21 surcharge on licenses and permits, other than an agent's permit or
1-22 an agent's beer license, issued or renewed by the commission each
1-23 fiscal year. The surcharge shall be an amount equal to the amount
1-24 transferred under Subsection (a) divided by the number of licenses
1-25 and permits the commission anticipates issuing during that year,
1-26 rounded down to the next lowest whole dollar.

1-27 (c) The governing body of an incorporated city or town or
1-28 the commissioners court of a county may not levy and collect a fee
1-29 under Section 11.38 or 61.36 based on a surcharge imposed under this
1-30 section.

1-31 SECTION 2. This Act takes effect September 1, 2003.

1-32 * * * * *