

Suspending limitations on conference committee
jurisdiction, H.B. No. 2593

By: Estes

S.R. No. 1031

R E S O L U T I O N

1 BE IT RESOLVED by the Senate of the State of Texas, 78th
2 Legislature, Regular Session, 2003, That Senate Rule 12.03 be
3 suspended in part as provided by Senate Rule 12.08 to enable the
4 conference committee appointed to resolve the differences on House
5 Bill 2593, relating to winery permits, to consider and take action
6 on the following matters:

7 (1) Senate Rule 12.03(1) is suspended to permit the
8 committee to add "Except as provided by Section 16.011," to amended
9 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) Senate Rules 12.03(1) and (2) are suspended to permit
15 the committee to amend and omit text to Section 16.011, Alcoholic
16 Beverage Code, as added by the bill, so that the section reads as
17 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) Senate Rules 12.03(1) and (2) are suspended to permit
8 the committee to amend Section 4 of the bill, so that the section
9 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.