

By: Miles

H.B. No. 3122

A BILL TO BE ENTITLED

AN ACT

1
2 relating to labeling and other designations for certain malt
3 beverages.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 1.04, Alcoholic Beverage Code, is
6 amended by amending Subdivisions (12) and (15) to read as follows:

7 (12) "Ale" or "malt liquor" means a malt beverage
8 containing more than four percent of alcohol by weight. The term
9 does not include a beverage designated by label or otherwise by a
10 name other than ale or malt liquor unless the designation is in
11 accordance with Section 101.411.

12 (15) "Beer" means a malt beverage containing one-half
13 of one percent or more of alcohol by volume and not more than four
14 percent of alcohol by weight. The term [~~and~~] does not include a
15 beverage designated by label or otherwise by a name other than beer
16 unless the designation is in accordance with Section 101.411.

17 SECTION 2. Subchapter C, Chapter 101, Alcoholic Beverage
18 Code, is amended by adding Section 101.411 to read as follows:

19 Sec. 101.411. MALT BEVERAGE DESIGNATIONS. (a) A malt
20 beverage containing one-half of one percent or more of alcohol by
21 volume and not more than four percent of alcohol by weight that is
22 not designated by label or otherwise as "beer" may be designated as
23 "ale," "malt liquor," "bock," "pilsner," "porter," "stout,"
24 "lager," or any other term signifying a class and style of malt

1 beverage recognized by the brewing industry if the label of the
2 beverage also contains a statement of the beverage's alcohol
3 content or a symbol approved by the commission, if the statement or
4 symbol identifies the beverage to be not more than four percent
5 alcohol by weight.

6 (b) A malt beverage containing more than four percent of
7 alcohol by weight that is not designated as "ale" or "malt liquor"
8 may be designated by label or otherwise as a "beer," "bock,"
9 "pilsner," "porter," "stout," "lager," or any other term signifying
10 a class and style of malt beverage recognized by the brewing
11 industry if the label of the beverage also contains a statement of
12 the beverage's alcohol content or a symbol approved by the
13 commission, if the statement or symbol identifies the beverage to
14 be more than four percent alcohol by weight.

15 SECTION 3. This Act takes effect September 1, 2007.