

House Bill 1084
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 1. Section 16.09(e), Alcoholic Beverage Code, is amended to read as follows:

(e) The holder of a winery permit may not:

- (1) sell or ship wine to a minor;
- (2) deliver wine to a consumer using a carrier that does not hold a carrier's permit under this code; or
- (3) deliver to the same consumer in this state more than nine [three] gallons of wine within any 30-day period or more than 36 gallons of wine within any 12-month period [~~to the same consumer in this state~~].

SECTION 2. Section 54.02, Alcoholic Beverage Code, is amended to read as follows:

Sec. 54.02. PROHIBITED ACTIVITIES. The holder of an out-of-state winery direct shipper's permit may not:

- (1) sell or ship wine to a minor;
- (2) deliver wine to a consumer using a carrier that does not hold a carrier's permit under this code;
- (3) deliver to the same consumer in this state more than nine [three] gallons of wine within any 30-day period or more than 36 gallons of wine within any 12-month period [~~to the same consumer in this state~~]; or

(4) sell to ultimate consumers more than 35,000 gallons of wine annually.

SENATE VERSION

SECTION 1. Section 16.09(e), Alcoholic Beverage Code, is amended to read as follows:

(e) The holder of a winery permit may not:

- (1) sell or ship wine to a minor;
- (2) deliver wine to a consumer using a carrier that does not hold a carrier's permit under this code; or
- (3) deliver to the same consumer in this state more than nine [three] gallons of wine within any calendar month or more than 36 gallons of wine within any 12-month period [~~30-day period to the same consumer in this state~~].

SECTION 2. Section 54.02, Alcoholic Beverage Code, is amended to read as follows:

Sec. 54.02. PROHIBITED ACTIVITIES. The holder of an out-of-state winery direct shipper's permit may not:

- (1) sell or ship wine to a minor;
- (2) deliver wine to a consumer using a carrier that does not hold a carrier's permit under this code;
- (3) deliver to the same consumer in this state more than nine [three] gallons of wine within any calendar month or more than 36 gallons of wine within any 12-month period [~~30-day period to the same consumer in this state~~]; or

(4) sell to ultimate consumers more than 35,000 gallons of wine annually.

CONFERENCE

House Bill 1084
Senate Amendments
Section-by-Section Analysis

HOUSE VERSION

SECTION 3. This Act takes effect September 1, 2009.

SENATE VERSION

Same as House version.

CONFERENCE