

BILL ANALYSIS

H.B. 1936
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Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Observers note that there are different limitations on the amount and type of alcoholic beverages a resident and a nonresident of Texas can import into the state for personal use without holding an alcoholic beverage permit. In addition, it is noted that individuals who are relocating their households to Texas may import a personal wine collection but no other type of personal alcoholic beverage collection as part of their household goods. Interested parties note that legislation is required to simplify these provisions of law and create uniform limitations on the importation of alcoholic beverages for residents and nonresidents. The parties assert such legislation would generate additional revenue for the Texas Alcoholic Beverage Commission due to the increased amount and variety of alcoholic beverages the legislation would allow people to import. H.B. 1936 seeks to address these issues by making statutory changes relating to the importation and shipment of alcoholic beverages for personal consumption.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1936 amends the Alcoholic Beverage Code to make limitations on the amount and type of alcoholic beverages that may be imported into Texas for personal use without holding an alcoholic beverage permit applicable to any person, rather than establishing different requirements for residents and nonresidents of the state. The bill provides that the maximum amount of alcoholic beverages a person is authorized to import into Texas for personal use without being required to hold such a permit is 24 12-ounce bottles or an equivalent quantity of malt beverages, 3 gallons of wine, and 1 gallon of distilled spirits, rather than a limit of one quart of liquor and three gallons of wine for a resident and a gallon of liquor for a nonresident. The bill increases from 50 cents to \$3 the administrative fee a person must pay when importing alcoholic beverages into the state under these provisions.

H.B. 1936 expands the provision of law authorizing a person who is relocating a household to import, or contract with a motor carrier or another person to import, a personal wine collection as a part of that person's household goods to make that authorization applicable to a personal malt beverage or distilled spirit collection. The bill repeals a provision of law authorizing a person who purchases wine while at a winery located in Texas to ship the wine or cause the wine to be shipped to the person's residence if the winery verifies that the person is 21 years of age or older. The bill makes conforming and nonsubstantive changes.

H.B. 1936 repeals Sections 107.07(b) and (c) and Section 107.12, Alcoholic Beverage Code.

EFFECTIVE DATE

September 1, 2011.