

By: Alvarado, Harless, et al.

H.B. No. 882

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the creation of an offense prohibiting certain
3 transactions involving malt liquor containing certain stimulants.

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

5 SECTION 1. Subchapter D, Chapter 101, Alcoholic Beverage
6 Code, is amended by adding Section 101.651 to read as follows:

7 Sec. 101.651. CERTAIN STIMULANTS PROHIBITED. (a) Except
8 as provided by this section, a person may not manufacture, import,
9 sell, or possess for the purpose of sale malt liquor in a sealed
10 container that contains caffeine, ginseng, taurine, or guarana as
11 an added ingredient.

12 (b) This section does not apply to malt liquor that contains
13 caffeine that is a natural constituent of an ingredient other than
14 an ingredient listed in Subsection (a).

15 SECTION 2. This Act takes effect immediately if it receives
16 a vote of two-thirds of all the members elected to each house, as
17 provided by Section 39, Article III, Texas Constitution. If this
18 Act does not receive the vote necessary for immediate effect, this
19 Act takes effect September 1, 2011.