

By: Gutierrez

H.B. No. 1936

A BILL TO BE ENTITLED

AN ACT

relating to importation and shipment of alcoholic beverages for personal consumption.

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

SECTION 1. Sections 107.07(a) and (e), Alcoholic Beverage Code, are amended to read as follows:

(a) A person [~~Texas resident~~] may import not more than 24 12-ounce bottles or an equivalent quantity of malt beverages, 3 gallons of wine, and 1 gallon of distilled spirits [~~one quart of liquor~~] for the person's [~~his~~] own personal use without being required to hold a permit. [~~A Texas resident may import for his own personal use not more than three gallons of wine without being required to hold a permit. A nonresident of Texas may import not more than a gallon of liquor for his own personal use without being required to hold a permit.~~] A person importing alcoholic beverages [~~liquor~~] into the state under this subsection must pay the state tax on alcoholic beverages [~~liquor~~] and an administrative fee of \$3 [~~50 cents~~] and must affix the required tax stamps. No minor and no intoxicated person may import any alcoholic beverages [~~liquor~~] into the state. A person importing alcoholic beverages [~~wine or liquor~~] under this subsection must personally accompany the alcoholic beverages [~~wine or liquor~~] as the alcoholic beverages enter [~~it enters~~] the state. A person may not use [~~avail himself of~~] the exemptions set forth in this subsection more than once every thirty

1 days.

2 (e) The administrative fees collected under this section
3 shall be used by the commission for the administrative costs of
4 enforcing the requirements of Subsection [~~Subsections~~] (a) [~~and (b)~~
5 ~~of this section~~].

6 SECTION 2. Section 107.11, Alcoholic Beverage Code, is
7 amended to read as follows:

8 Sec. 107.11. IMPORTATION OF PERSONAL [~~WINE~~] COLLECTION.

9 (a) A person who is relocating a household may import, or contract
10 with a motor carrier or another person to import, a personal malt
11 beverage, wine, or distilled spirit collection as a part of that
12 person's household goods.

13 (b) Section 107.07 [~~of this code~~] does not apply to a person
14 who is importing a personal malt beverage, wine, or distilled
15 spirit collection under Subsection (a) [~~of this section~~].

16 SECTION 3. Sections 107.07(b) and (c) and 107.12, Alcoholic
17 Beverage Code, are repealed.

18 SECTION 4. This Act takes effect September 1, 2011.