

1-1 By: Gutierrez (Senate Sponsor - Lucio) H.B. No. 1936
1-2 (In the Senate - Received from the House April 27, 2011;
1-3 April 28, 2011, read first time and referred to Committee on
1-4 Business and Commerce; May 3, 2011, reported favorably by the
1-5 following vote: Yeas 6, Nays 2; May 3, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to importation and shipment of alcoholic beverages for
1-9 personal consumption.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Sections 107.07(a) and (e), Alcoholic Beverage
1-12 Code, are amended to read as follows:

1-13 (a) A person [~~Texas resident~~] may import not more than 24
1-14 12-ounce bottles or an equivalent quantity of malt beverages, 3
1-15 gallons of wine, and 1 gallon of distilled spirits [~~one quart of~~
1-16 ~~liquor~~] for the person's [~~his~~] own personal use without being
1-17 required to hold a permit. [~~A Texas resident may import for his own~~
1-18 ~~personal use not more than three gallons of wine without being~~
1-19 ~~required to hold a permit. A nonresident of Texas may import not~~
1-20 ~~more than a gallon of liquor for his own personal use without being~~
1-21 ~~required to hold a permit.~~] A person importing alcoholic beverages
1-22 [~~liquor~~] into the state under this subsection must pay the state tax
1-23 on alcoholic beverages [~~liquor~~] and an administrative fee of \$3 [~~50~~
1-24 ~~cents~~] and must affix the required tax stamps. No minor and no
1-25 intoxicated person may import any alcoholic beverages [~~liquor~~] into
1-26 the state. A person importing alcoholic beverages [~~wine or liquor~~]
1-27 under this subsection must personally accompany the alcoholic
1-28 beverages [~~wine or liquor~~] as the alcoholic beverages enter [~~it~~
1-29 ~~enters~~] the state. A person may not use [~~avail himself of~~] the
1-30 exemptions set forth in this subsection more than once every thirty
1-31 days.

1-32 (e) The administrative fees collected under this section
1-33 shall be used by the commission for the administrative costs of
1-34 enforcing the requirements of Subsection [~~Subsections~~] (a) [~~and (b)~~
1-35 ~~of this section~~].

1-36 SECTION 2. Section 107.11, Alcoholic Beverage Code, is
1-37 amended to read as follows:

1-38 Sec. 107.11. IMPORTATION OF PERSONAL [~~WINE~~] COLLECTION.

1-39 (a) A person who is relocating a household may import, or contract
1-40 with a motor carrier or another person to import, a personal malt
1-41 beverage, wine, or distilled spirit collection as a part of that
1-42 person's household goods.

1-43 (b) Section 107.07 [~~of this code~~] does not apply to a person
1-44 who is importing a personal malt beverage, wine, or distilled
1-45 spirit collection under Subsection (a) [~~of this section~~].

1-46 SECTION 3. Sections 107.07(b) and (c) and 107.12, Alcoholic
1-47 Beverage Code, are repealed.

1-48 SECTION 4. This Act takes effect September 1, 2011.

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