

AN ACT

relating to the maximum capacity of a container of wine sold to a retail dealer.

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

SECTION 1. Section 101.45, Alcoholic Beverage Code, is amended to read as follows:

Sec. 101.45. CONTAINERS OF WINE: MAXIMUM CAPACITY. A ~~[No]~~ person may not sell wine to a retail dealer in a container ~~[containers]~~ with a capacity greater than eight ~~[4.9]~~ gallons.

SECTION 2. (a) The change in law made by this Act applies only to an offense committed on or after the effective date of this Act. For purposes of this section, an offense is committed before the effective date of this Act if any element of the offense occurs before that date.

(b) An offense committed before the effective date of this Act is covered by the law in effect when the offense was committed, and the former law is continued in effect for that purpose.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 351 passed the Senate on March 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 351 passed the House on April 7, 2011, by the following vote: Yeas 144, Nays 0, one present not voting.

Chief Clerk of the House

Approved:

Date

Governor