

By: Deuell
(Phillips)

S.B. No. 923

A BILL TO BE ENTITLED

AN ACT

relating to creating a branch winery permit.

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

SECTION 1. Subsection (d), Section 11.39, Alcoholic Beverage Code, is amended to read as follows:

(d) This section does not apply to an applicant for a daily temporary mixed beverage permit, a branch winery permit, or a caterer's permit.

SECTION 2. Sections 16.01, 16.011, 16.02, 16.03, 16.04, 16.05, 16.06, 16.07, 16.08, and 16.09, Alcoholic Beverage Code, are designated as Subchapter A, Chapter 16, Alcoholic Beverage Code, and a heading is added to Subchapter A to read as follows:

SUBCHAPTER A. WINERY PERMIT

SECTION 3. Chapter 16, Alcoholic Beverage Code, is amended by adding Subchapter B to read as follows:

SUBCHAPTER B. BRANCH WINERY PERMIT

Sec. 16.21. AUTHORIZED ACTIVITIES. The holder of a branch winery permit may engage in the same activities as the holder of a winery permit.

Sec. 16.22. FEE. The annual state fee for a branch winery permit is \$75.

Sec. 16.23. BOND NOT REQUIRED. An applicant for a branch winery permit is not required to file a bond.

Sec. 16.24. ISSUANCE OF LICENSE. A branch winery permit may

1 be issued only:

2 (1) to the holder of a winery permit who also holds a
3 federal winemaker's and blender's basic permit that regulates
4 noncontiguous premises; and

5 (2) for the noncontiguous premises regulated by the
6 federal winemaker's and blender's basic permit that are not the
7 winery permit holder's primary place of business.

8 Sec. 16.25. EXPIRATION OF PERMIT. A branch winery permit
9 expires on the same date as the holder's winery permit.

10 Sec. 16.26. APPLICATION. An application for an original or
11 renewal branch winery permit may be made concurrently with the
12 application for an original or renewal winery permit or at any other
13 time.

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