

1-1 By: Carona S.B. No. 962
1-2 (In the Senate - Filed February 28, 2013; March 12, 2013,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 April 15, 2013, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 8, Nays 1; April 15, 2013,
1-6 sent to printer.)

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|------|----------------|-----|-----|--------|-----|
| 1-7 | COMMITTEE VOTE | | | | |
| 1-8 | | Yea | Nay | Absent | PNV |
| 1-9 | Carona | X | | | |
| 1-10 | Taylor | X | | | |
| 1-11 | Eltife | | X | | |
| 1-12 | Estes | X | | | |
| 1-13 | Hancock | X | | | |
| 1-14 | Lucio | X | | | |
| 1-15 | Van de Putte | X | | | |
| 1-16 | Watson | X | | | |
| 1-17 | Whitmire | X | | | |

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 962 By: Carona

1-19 A BILL TO BE ENTITLED
1-20 AN ACT

1-21 relating to the approval of certain alcoholic beverages by the
1-22 Texas Alcoholic Beverage Commission.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 101.671, Alcoholic Beverage Code, is
1-25 amended by amending Subsections (a) and (b) and adding Subsection
1-26 (b-1) to read as follows:

1-27 (a) Before an authorized permittee may ship distilled
1-28 spirits or wine into the state or sell distilled spirits or wine
1-29 within the state, the permittee must register the distilled spirits
1-30 or wine with the commission. Except for rare or vintage wine that
1-31 is acquired at auction and for which no certificate is available,
1-32 the [The] registration application must include a certificate of
1-33 label approval issued by the United States Alcohol and Tobacco Tax
1-34 and Trade Bureau for the product. Rare or vintage wine purchased at
1-35 auction and registered by the commission under this subsection must
1-36 comply with all other provisions of this code, including provisions
1-37 regarding the sale, purchase, importation, and distribution of that
1-38 wine.

1-39 (b) Except as provided by Subsection (b-1), on [On]
1-40 registration of a certificate of label approval issued by the
1-41 United States Alcohol and Tobacco Tax and Trade Bureau, the
1-42 commission shall approve the product under this section and issue a
1-43 letter to that effect to the permittee. The commission may not
1-44 require additional approval for the product unless there is a
1-45 change to the label or product that requires reissuance of the
1-46 federal certificate of label approval. The commission shall accept
1-47 the certificate of label approval as constituting full compliance
1-48 with any applicable standards adopted under Section 5.38 regarding
1-49 quality, purity, and identity of distilled spirits or wine.

1-50 (b-1) The commission may refuse to register a product under
1-51 this section if the product violates this code.

1-52 SECTION 2. This Act takes effect September 1, 2013.

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