

BILL ANALYSIS

Senate Research Center
84R4826 AJA-F

H.B. 1039
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties contend that current law requiring containers of liquor with a capacity of less than six fluid ounces offered for sale in a package store to be sold in units of sealed packages of multiple bottles of liquor is cumbersome for consumers who want to sample a smaller product. H.B. 1039 seeks to address this issue.

H.B. 1039 amends current law relating to the sale by package stores of containers of liquor with a capacity of less than six fluid ounces.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 101.46(a), Alcoholic Beverage Code, as follows:

(a) Prohibits a person, except as provided by Subsections (b), (c), and (d), from importing, selling, or possessing with intent to sell any liquor in a container with a capacity of less than 20 milliliters. Requires that a container of liquor offered for sale that has a capacity of less than six fluid ounces substantially conform to the labeling requirements of the Bureau of Alcohol, Tobacco, and Firearms for larger containers in which liquor is sold. Requires holders of distiller's or rectifier's permits wishing to sell liquor bottled in containers of less than six fluid ounces to wholesalers to sell such containers of liquor to wholesalers in units of unbroken, sealed cases. Requires wholesalers to sell liquor bottled in containers of less than six fluid ounces to package stores in units of unbroken, sealed cases. Deletes exiting text requiring containers of liquor with a capacity of less than six fluid ounces offered for sale in a package store to be sold in units of sealed packages featuring multiple bottles of liquor. Makes a nonsubstantive change.

SECTION 2. Effective date: upon passage or September 1, 2015.