

BILL ANALYSIS

Senate Research Center

H.B. 1348
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

A recent study determined that the Texas Alcoholic Beverage Commission (TABC) was duplicating work done by the United States Alcohol and Tobacco Tax and Trade Bureau (TTB) in regard to the testing and labeling of wine and spirits, which resulted in the Texas Legislature amending the Alcoholic Beverage Code to require TABC to approve distilled spirits or wine for shipping on registration of a certificate of label approval issued by TTB. Interested parties have noted instances where an approved label conflicts with other state laws, such as copyright laws, and have expressed concern that TABC does not have the legal authority to deny a label approval. H.B. 1348 amends the applicable law to address this concern.

H.B. 1348 amends current law relating to the approval of certain alcoholic beverages by the Texas Alcoholic Beverage Commission.

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 101.671(b), Alcoholic Beverage Code, as follows:

(b) Requires the Texas Alcoholic Beverage Commission (TABC) to approve the product under this section and issue a letter to that effect to the permittee on registration of a certificate of label approval issued by the United States Alcohol and Tobacco Tax and Trade Bureau. Prohibits the commission from requiring additional approval for the product unless there is a change to the label or product that requires reissuance of the federal certificate of label approval. Requires the commission to accept the certificate of label approval as constituting full compliance only with any applicable standards adopted under Section 5.38 (Quality and Purity of Beverages) regarding quality, purity, and identity of distilled spirits or wine.

SECTION 2. Effective date: September 1, 2015.