

AN ACT

relating to the dedication of certain wine-related revenue.

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

SECTION 1. Section 205.03, Alcoholic Beverage Code, is amended by amending Subsections (b), (c), (d), (e), (j), (n), and (p) and adding Subsection (n-1) to read as follows:

(b) Notwithstanding Section 205.02, the following revenue may be appropriated for each state fiscal year only as specified by this section:

(1) the lesser of:

(A) the amount, if any, by which the amount of revenue derived from excise taxes on wine produced in a state other than Texas and any sales taxes collected from holders of out-of-state winery direct shipper's permits as a result of the passage of Senate Bill No. 877 by the 79th Legislature, Regular Session, 2005, according to the most recent projection, as of the beginning of the fiscal year, by the comptroller for the fiscal year exceeds the amount of revenue from those sources for fiscal year 2014 [~~2004~~], compounded annually for fiscal years 2015-2025 [~~2005-2015~~] by the average percentage by which revenue from those sources increased from one fiscal year to the next between September 1, 2005 [~~1999~~], and August 31, 2013 [~~2003~~]; or

(B) \$1 million; and

(2) the lesser of:

1 (A) the amount, if any, by which revenue derived  
2 from excise taxes on wine produced in this state and sales taxes  
3 remitted by holders of winery permits in this state, according to  
4 the most recent projection, as of the beginning of the fiscal year,  
5 by the comptroller for the fiscal year exceeds the amount of revenue  
6 from those sources for fiscal year 2014 [~~2004~~], compounded annually  
7 for fiscal years 2015-2025 [~~2005-2015~~] by the average percentage by  
8 which revenue from those sources increased from one fiscal year to  
9 the next between September 1, 2005 [~~1999~~], and August 31, 2013  
10 [~~2003~~]; or

11 (B) \$1 million.

12 (c) Out of the amounts available under Subsections (b)(1) and  
13 (2) for a fiscal year, the lesser of \$830,000 [~~\$50,000~~] or the total  
14 amount available under those subdivisions may be appropriated only  
15 to [~~the~~] Texas A&M AgriLife [~~Cooperative~~] Extension Service [~~for~~  
16 ~~extension viticulture operations~~].

17 (d) If the amount available for a fiscal year under  
18 Subsections (b)(1) and (2) exceeds \$830,000 [~~\$50,000~~], the lesser  
19 of \$365,000 [~~\$50,000~~] or the total amount available under those  
20 subdivisions may be appropriated only to the Texas Tech University  
21 Viticulture and Enology program [~~Agricultural Experiment Station~~  
22 ~~for viticulture research~~].

23 (e) If the amount available for a fiscal year under  
24 Subsections (b)(1) and (2) exceeds \$1,195,000 [~~\$100,000~~], the  
25 lesser of the amount remaining under Subsection (b)(2) or \$150,000  
26 [~~\$65,000~~] may be appropriated only to the Texas Wine Marketing  
27 Research Institute at Texas Tech University.

1 (j) If the amount available for a fiscal year under  
2 Subsections (b)(1) and (2) exceeds the maximum amount that may be  
3 appropriated under Subsections (c), (d), and (e) [~~(c)-(g)~~], the  
4 lesser of the amount remaining under Subsections (b)(1) and (2) or  
5 \$150,000 [~~\$50,000~~] may be appropriated only for distribution to the  
6 T. V. Munson Viticulture and Enology Center of the [~~at~~] Grayson  
7 County Junior [~~Community~~] College District to fund educational  
8 programs [~~the associate degree program~~] at the center.

9 (n) If revenue [~~Revenue~~] derived under Subsection (b)(2) is  
10 [~~and~~] not otherwise appropriated under this section, the lesser of  
11 that remaining revenue or \$300,000 [~~Subsections (c)-(k)~~] may be  
12 appropriated only for deposit into the wine industry development  
13 fund:

14 (1) for the development of technologies, strategies,  
15 and practices for mitigating or eliminating the effects of frost,  
16 pestilence, or infestation on grapevines for which money donated  
17 from private sources under Chapter 50B, Agriculture Code, is also  
18 spent; and

19 (2) in an amount that does not exceed the amount of the  
20 donated money described by Subdivision (1) that is spent for the  
21 same purposes [~~of increasing the economic impact of the Texas wine~~  
22 ~~producing industry on the state~~].

23 (n-1) Any revenue available for a fiscal year under  
24 Subsection (b) that is not otherwise appropriated as authorized by  
25 this section may be appropriated only to the Department of  
26 Agriculture for deposit into the wine industry development fund  
27 for:

1           (1) the development of technologies, strategies, and  
2 practices for mitigating or eliminating the effects of frost,  
3 pestilence, or infestation on grapevines; and

4           (2) the department's direct and indirect costs  
5 associated with administering programs under Subsection (n) or  
6 Subdivision (1) of this subsection.

7           (p) This section expires September 1, 2025 [~~2015~~].

8           SECTION 2. Sections [205.03](#)(a), (f), (g), (h), (i), (k),  
9 (l), (m), and (o), Alcoholic Beverage Code, are repealed.

10          SECTION 3. This Act takes effect September 1, 2015.

S.B. No. 881

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Speaker of the House

I hereby certify that S.B. No. 881 passed the Senate on May 5, 2015, by the following vote: Yeas 30, Nays 1.

\_\_\_\_\_  
Secretary of the Senate

I hereby certify that S.B. No. 881 passed the House on May 26, 2015, by the following vote: Yeas 133, Nays 12, two present not voting.

\_\_\_\_\_  
Chief Clerk of the House

Approved:

\_\_\_\_\_  
Date

\_\_\_\_\_  
Governor