

By: Burrows

H.B. No. 3766

Substitute the following for H.B. No. 3766:

By: Anderson

C.S.H.B. No. 3766

A BILL TO BE ENTITLED

AN ACT

relating to the storage of grapes in a public warehouse.

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

SECTION 1. Section 14A.001(1), Agriculture Code, is amended to read as follows:

(1) "Public warehouse operator" means a person who stores cotton, wheat, rye, oats, grapes, or rice, or any kind of produce.

SECTION 2. Chapter 14A, Agriculture Code, is amended by adding Sections 14A.0065 and 14A.0115 to read as follows:

Sec. 14A.0065. RECEIPT FOR GRAPES. (a) A public warehouse operator shall issue a warehouse receipt to any person who deposits grapes in the warehouse operator's warehouse and requests a receipt.

(b) The receipt shall contain:

(1) all information required to be included on a receipt by Section 14A.005;

(2) the date on which the grapes were received in the warehouse;

(3) a statement that the grapes represented by the receipt are deliverable on return of the receipt properly endorsed and payment of charges for storage and insurance stated on the face of the receipt; and

(4) a statement of the varietal of the grapes

1 represented by the receipt.

2 (c) Failure or neglect by a public warehouse operator to
3 comply with the provisions of this section is a ground for
4 revocation of a certificate to transact business as a public
5 warehouse operator.

6 Sec. 14A.0115. GRAPE BYPRODUCTS. Notwithstanding any other
7 law, a natural byproduct of grapes stored in a public warehouse
8 operator's warehouse is an agricultural commodity and not subject
9 to regulation under other law, regardless of the byproduct's
10 alcohol content, until the byproduct is:

11 (1) removed from the warehouse; or

12 (2) mixed with another ingredient.

13 SECTION 3. Section 14A.012, Agriculture Code, is amended by
14 adding Subsection (c) to read as follows:

15 (c) This chapter does not apply to a producer of grapes who
16 stores in a warehouse owned by the producer grapes produced and
17 owned by the producer.

18 SECTION 4. This Act takes effect September 1, 2019.