

By: Toth

H.B. No. 763

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the handling of illicit alcoholic beverages seized by a  
3 peace officer.

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

5 SECTION 1. Section 103.06, Alcoholic Beverage Code, is  
6 amended to read as follows:

7 Sec. 103.06. BEVERAGE SEIZED BY PEACE OFFICER [~~DELIVERED TO~~  
8 ~~COMMISSION~~]. Any alcoholic beverage, its container, and its  
9 packaging which has been seized by a peace officer, as provided in  
10 Section 103.03:

11 (1) [~~of this code,~~] may not be replevied; and

12 (2) shall be:

13 (A) destroyed or disposed of by a peace officer;

14 or

15 (B) [~~be~~] delivered to the commission for  
16 immediate public or private sale in the manner the commission  
17 considers best.

18 SECTION 2. This Act takes effect September 1, 2021.