

1 AN ACT

2 relating to the sale and use of certain alcoholic beverages
3 manufactured by holders of a winery permit.

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

5 SECTION 1. Subsections (a) and (b), Section 16.01,
6 Alcoholic Beverage Code, are amended to read as follows:

7 (a) Except as provided by Section 16.011, the holder of a
8 winery permit may:

9 (1) manufacture, bottle, label, and package wine
10 containing not more than 24 percent alcohol by volume;

11 (2) manufacture fruit brandy and:

12 (A) use that brandy on the winery permit holder's
13 permitted premises for fortifying purposes only; or

14 (B) sell that brandy to other winery permit
15 holders;

16 (3) [~~and~~] import or buy fruit brandy from a permit
17 holder authorized to manufacture fruit [grape] brandy [for
18 fortifying purposes only] and use that brandy [to be used only] on
19 the winery permit holder's permitted [his licensed] premises for
20 fortifying purposes only;

21 (4) [~~(3)~~] sell wine in this state to or buy wine from
22 permit holders authorized to purchase and sell wine, including
23 holders of wholesaler's permits, winery permits, and wine bottler's
24 permits;

1 (5) [~~(4)~~] sell wine to ultimate consumers:
2 (A) for consumption on the winery premises; or
3 (B) in unbroken packages for off-premises
4 consumption in an amount not to exceed 35,000 gallons annually;
5 (6) [~~(5)~~] sell the wine outside this state to
6 qualified persons;
7 (7) [~~(6)~~] blend wines; and
8 (8) [~~(7)~~] dispense free wine for consumption on the
9 winery premises.

10 (b) The holder of a winery permit may manufacture and label
11 wine for an adult in an amount not to exceed 50 gallons annually for
12 the personal use of the adult. Any amount of wine produced under
13 this subsection is included in the annual total amount that may be
14 sold by the holder under Subsection (a)(5) [~~(a)(4)~~ ~~of this~~
15 ~~section~~]. An adult for whom wine is manufactured and labeled under
16 this subsection is not required to hold a license or permit issued
17 under this code.

18 SECTION 2. This Act takes effect September 1, 2009.

S.B. No. 529

David Dewhurst
President of the Senate

John Strawn
Speaker of the House

I hereby certify that S.B. No. 529 passed the Senate on April 2, 2009, by the following vote: Yeas 31, Nays 0.

Atsuy Gau
Secretary of the Senate

I hereby certify that S.B. No. 529 passed the House on May 19, 2009, by the following vote: Yeas 145, Nays 0, one present not voting.

Robert Haney
Chief Clerk of the House

Approved:

30 MAY '09
Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
4 PM O'CLOCK

Wayne Marshall
Secretary of State