

## **BILL ANALYSIS**

H.B. 909  
By: Phillips  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Several institutions of higher education in Texas offer programs related to the production of wine, beer, or liquor or culinary programs in which the tasting of alcohol as it relates to food is a part of the instruction. Interested parties have expressed concerns regarding the absence of an exception in current law to allow students in these courses who are at least 18 years of age, but under 21 years of age, to taste alcohol as it pertains to course work. The parties contend that without such an exception a student cannot fully participate in the course work, which may result in some students having to delay such course work until they are 21 years of age. The parties also note that other states have established exceptions for such students. H.B. 909 seeks to address these concerns.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 909 amends the Alcoholic Beverage Code to authorize a minor to taste an alcoholic beverage if the minor is at least 18 years of age and is enrolled as a student at a public or private institution of higher education or a career school or college that offers a program in culinary arts, viticulture, enology or wine technology, brewing or beer technology, or distilled spirits production or technology and in a course that is part of such a program; if the beverage is tasted for educational purposes as part of the course's curriculum; if the beverage is not purchased by the minor; and if the service and tasting of the beverage is supervised by a faculty or staff member who is at least 21 years of age. The bill defines "taste" as drawing a beverage into the mouth without swallowing or otherwise consuming the beverage. The bill specifies that a public or private institution of higher education or a career school or college is not required to hold a license or permit to engage in the activities authorized by the bill's provisions.

### **EFFECTIVE DATE**

September 1, 2015.