

## **BILL ANALYSIS**

Senate Research Center

C.S.H.B. 251  
By: Cuellar (Gallegos)  
State Affairs  
5-15-97  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law prohibits distributors of imported beer, ale, and malt liquor from storing these products in Texas when they are to be sold out of state. This situation renders importing these goods from Mexico for sale in states other than Texas less than efficient. C.S.H.B. 251 would create a liquor license for the storage of imported beer, ale, and malt liquor.

### **PURPOSE**

As proposed, C.S.H.B. 251 outlines provisions regarding creating a license for the storage of imported beer, ale, and malt liquor.

### **RULEMAKING AUTHORITY**

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Title 3B, Alcoholic Beverage Code, by adding Chapter 75, as follows:

#### **CHAPTER 75. STORAGE LICENSE**

Sec. 75.01. AUTHORIZED ACTIVITIES. Sets forth instances in which the holder of a storage license who also holds a custom broker's license issued under 19 U.S.C. Section 1641(b) is authorized to import and store beer, ale, and malt liquor in a county with a population of 200,000 or less that borders the United Mexican States. Authorizes only holders of a carrier permit to transport beer, ale, or malt liquor to or from the holder of a storage license. Provides that all provisions of liquor also apply to transportation of beer, ale, or malt liquor under this chapter.

Sec. 75.02. RECORDS. Sets forth requirements and provisions regarding the establishment and maintenance of records.

Sec. 75.03. PREMISES. Prohibits the holder of a storage license from sharing the location or business with another holder of a license or permit issued under this code. Provides that designation of a portion of a building, grounds, or appurtenances for exclusion under Section 11.49(b) is not available to the holder of a storage license.

Sec. 75.04. FEE. Provides that the annual fee for a storage license is \$200.

Sec. 75.05. LICENSING. Outlines provisions regarding licensing.

SECTION 2. Amends Section 61.31(a), Alcoholic Beverage Code, to authorize a person to file an application for a license to manufacture, distribute, store, or sell beer in termtime or vacation with the county judge of the county in which the person desires to conduct business.

SECTION 3. Effective date: September 1, 1997.

SECTION 4. Emergency clause.

**SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 75.05, Alcoholic Beverage Code, regarding licensing.