

BILL ANALYSIS

Senate Research Center
76R4167 MCK-D

S.B. 427
By: Sibley
Economic Development
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As Filed

DIGEST

Currently, Texas law prohibits a person in the business of selling alcoholic beverages in another state or country to ship or cause to be shipped any alcoholic beverage to a Texas resident. S.B. 427 increases the penalty from the current Class C misdemeanor to a Class A misdemeanor for a first offense and a state jail felony, if the shipper has been notified in writing by the Texas Alcoholic Beverage Commission that direct sales are illegal in Texas.

PURPOSE

As proposed, S.B. 427 increases the penalty for certain interstate shipment of alcoholic beverages.

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 Section 107.07(f), Alcoholic Beverage Code, to create an offense for certain interstate shipment of alcoholic beverages. Provides that an offense under this subsection is a Class A misdemeanor, unless, as shown at trial, that the person received written notice from the Texas Alcoholic Beverage Commission that the person was violating this subsection, in which case the offense is a state jail felony.

SECTION 2. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 3. Emergency clause.