

CHAPTER 746

H.B. No. 1874

An Act relating to the packaging of alcoholic beverages.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. The Alcoholic Beverage Code is amended by adding Chapter 48 to read as follows:

CHAPTER 48. MARKET RESEARCH PACKAGER'S PERMIT

Sec. 48.01. AUTHORIZED ACTIVITIES. (a) *The holder of a market research packager's permit may:*

(1) *receive from a winery, distiller's, or brewer's permittee or a manufacturer's licensee in this state alcoholic beverages produced by and belonging to the permittee or licensee;*

(2) *receive alcoholic beverages produced by and belonging to an authorized person outside this state;*

(3) *place the alcoholic beverages in containers or packaging material as a service to the producer of the beverages in connection with a market research program; and*

(4) *return the alcoholic beverages to the licensee, permittee, or authorized person from whom they were received.*

(b) *The holder of a market research packager's permit may not exercise any right of title to the alcoholic beverages received, other than possession. The permittee has no lien on the beverages to secure payment for amounts due from the owner of the beverages.*

(c) *Since the holder of a market research packager's permit may exercise no right of title to alcoholic beverages other than possession, the provisions of Section 109.53 of this code do not apply to a market research packager's permit.*

Sec. 48.02. FEE. *The annual state fee for a market research packager's permit is \$100.*

Sec. 48.03. ELIGIBILITY FOR PERMIT. *The commission may issue a market research packager's permit in a wet or dry area.*

SECTION 2. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed by the House on May 16, 1985, by a non-record vote; passed by the Senate on May 26, 1985, by the following vote: Yeas 31, Nays 0.

Approved: June 14, 1985

Effective: August 26, 1985