



New/Amended

Alcoholic Beverage Laws

This chart summarizes the changes to the TABC Code made during the last legislative session. For full-text of bills passed, go to: www.capitol.state.tx.us

BILL	EFF. DATE	SUBJECT	SUMMARY
HB168	9/1/2005	Hours for selling A/B at certain events.	Allows sale and consumption of A/B at fairs, festivals and concerts between 10 A.M. and noon on Sundays without service of food.
HB833	6/17/2005	Hours for selling certain A/B in certain areas.	Raises pop. requirements for automatic late hours from 500,000 to 800,000 according to the preceding federal census. "Grandfathers" in cities and counties of at least 500,000 (as of 2001 federal census). No effective change until 2011 (next federal census).
HB937	9/1/2005	Authorizing tasting of certain A/B.	Allows holder of a Wine-Only Package Store Permit or Wine and Beer Retailer's Off-Premises Permit to conduct free wine tasting on premises. Allows Nonresident Seller's Permit holder who owns a winery outside Texas to have wine tasting at retailer's premises.
HB1357	9/1/2005	Civil consequences of certain alcohol-related offenses.	Enhances penalty for illegally making alcohol available to a minor. Requires automatic suspension of driver's license for 180 days upon conviction. Enhances penalty for minors convicted of certain alcohol-related offenses if minor has similar previous convictions. Requires automatic suspension of DL for one year if minor does not attend required alcohol awareness training.
HB1575	9/1/2005	Juvenile delinquency.	A minor convicted of certain alcohol-related offenses, who has two or more alcohol-related convictions, is not eligible for deferred adjudication. Repeals Sec. 106.11 which required presence of a parent or guardian at trial if minor is under 18.
HB1799	9/1/2005	Transfer and nonsubstantive revision of laws governing local option elections for A/B.	Moves chapter regarding local option elections to the Election Code. No substantive changes.
HB1813	9/1/2005	Historical reenactments on premises permitted or licensed under A/B Code.	Allows carrying a handgun while participating in a historical reenactments on the premises of a license or permit holder. Live ammunition prohibited.
HB2064	6/18/2005	Private club A/B permits issued to a fraternal or veterans organization.	A fraternal or veterans organization that holds a TABC permit and the private club established under that permit will be considered separate entities. The organization shall establish a membership committee. Membership in the organization is not governed by the requirements of private club membership, which means members can be under 21.
HB2065	9/1/2005	Operation of the holder of a private club registration permit under the A/B Code.	Private clubs must vote on membership within seven days, not three. If application is not approved before preliminary membership expires, the club shall pay the state \$3.
HB2451	9/1/2005	Sale, service, and delivery of A/B.	Creates a specific criminal charge of sale or consumption during prohibited hours on permitted premises. Makes sale or consumption during prohibited hours a class C misdemeanor.
HB2526	9/1/2005	Promotional activities of certain A/B license or permit holders.	Creates a new Promotional Permit to allow a person to promote the sale of A/B on behalf of someone who manufactures A/B on the premises of a license or permit holder.
HB2590	6/18/2005	Wine-Only Package Store Permit, Package Store Tasting Permit.	Allows Wine-Only Package Store Permit holder to obtain a Package Store Tasting Permit and have on-premises tasting of beer or liquor.
HB2868	9/1/2005	Civil liability for providing alcohol to a minor.	Establishes civil liability for adults 21 or older (other than parent/guardian) for damages caused by intoxication of minor under 18 if adult knowingly provided A/B to minor or allowed minor to be served or provided A/B on premises owned or leased by the adult.
SB269	9/1/2005	Administrative fees and taxes collected by TABC.	Allows TABC to round up to the nearest quarter taxes/fees collected on alcohol/cigarettes imported into Texas for personal use.

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SB571	5/17/2005	Hours of sales and consumption at a winery.	Establishes hours of sale and consumption at a winery. Mon.-Sat., 8 A.M.-midnight; Sun., 10 A.M.-midnight. No sale or consumption past midnight, even in late hours areas.
SB877	5/9/2005	Direct shipment of wine to consumers.	Creates a new Out-of-State Winery Direct Shipper's Permit, authorizing out-of-state wineries to ship their wine directly to consumers in Texas. Also allows for the shipment of wine to individuals across the state, including wet and dry areas.
SB1137	6/17/2005	Development of wine industry and other businesses related to Texas agriculture or tourism.	Allows dual or contract winemaking. Allows a winery to advertise where their wine can be purchased.
SB1255	6/18/2005	Licensing for malt beverage manufacturing and container sizes of beer.	Allows dual or contract brewing. Repeals beer container and barrel sizes. Forfeiture suits allow TABC to pay local prosecutors.
SB1331	5/28/2005	Certain temporary wine and beer retailer's permits.	Allows Texas Motor Speedway to obtain a limited number of Temporary Wine and Beer Retailer's Permits each year.
SB1370	9/1/2005	Disposition of certain tax revenue for the protection and development of grape and wine production.	Portions of increases in excise tax collected annually on wine up to \$50,000 will be appropriated to the Tx Cooperative Extension for viticultural projects in Texas. If avail., other amts may be given to Tx Agricultural Experiment Station, the Tx Wine Marketing Research Institute at Texas Tech Univ. and the Dept. of Agriculture for projects related to grape growing and wine making. This section expires in 2015.
SB1426	9/1/2005	Fees charged by court to expunge certain offenses committed by minors.	Requires the court to charge a \$30 fee for requests to expunge certain offenses committed by minors.
SB1465	9/1/2005	Use of certain electronically readable information on a driver's license or ID certificate to comply with certain alcohol- and tobacco-related laws.	Creates a defense to prosecution of sale to a minor if person selling checked ID w/electronic scan device that showed ID was valid and person was 21. Creates a defense to administrative action if permittee provided a transaction scan device to employees and trained them, but an employee sold to a minor.
SB1471	9/1/2005	Regulation of certain promotional activities conducted by A/B permit/license holders.	Eliminates 30-state requirement for prizes, premiums, gifts, or sweepstakes.
SB1472	9/1/2005	Regulation of certain promotional activities conducted by A/B permit/license holders.	Allows manufacturers/distributors to provide CO ² filters to retailers. The manufacturer shall bear the costs.
SB1626	6/17/2005	Local option elections to legalize or prohibit the sale of alcoholic beverages.	A Wine Only Package Store Permit may be issued in an area wet for Wine/Beer Retailer's Off-Premise Permit. The permit will indicate that wine up to 14% or 17% may be sold. Lowers the number of signatures needed on a petition to call certain types of local option elections.
SB1692	9/1/2005	Storage of wine by a winery permit holder.	Allows Winery Permit holder to obtain a Storage Permit for a location inside or outside the county where the winery is located.
SB1850	9/1/2005	Regulation of certain business that sell beer or beer and wine in certain counties.	Harris, Dallas, and Tarrant: Increases fee for BG or BE. Prohibits a person within the fourth degree of consanguinity or affinity of current licensee/permittee from applying for a license/permit that is suspended or has a charge pending. Creates a \$4,000 civil penalty for falsification of an application. Creates a new performance bonding requirement for those not holding a Food and Beverage Certificate.
SB270	6/17/2005	Mass gatherings outside municipality limits. (Amendment to Health and Safety Code.)	Changes definition of mass gathering to 2,500 OR more than 500 if 51% or more might be under 21, and it's expected alcohol will be sold, served, or consumed AND the persons will remain for more than five continuous hours or any time between 10 P.M. and 4 A.M.