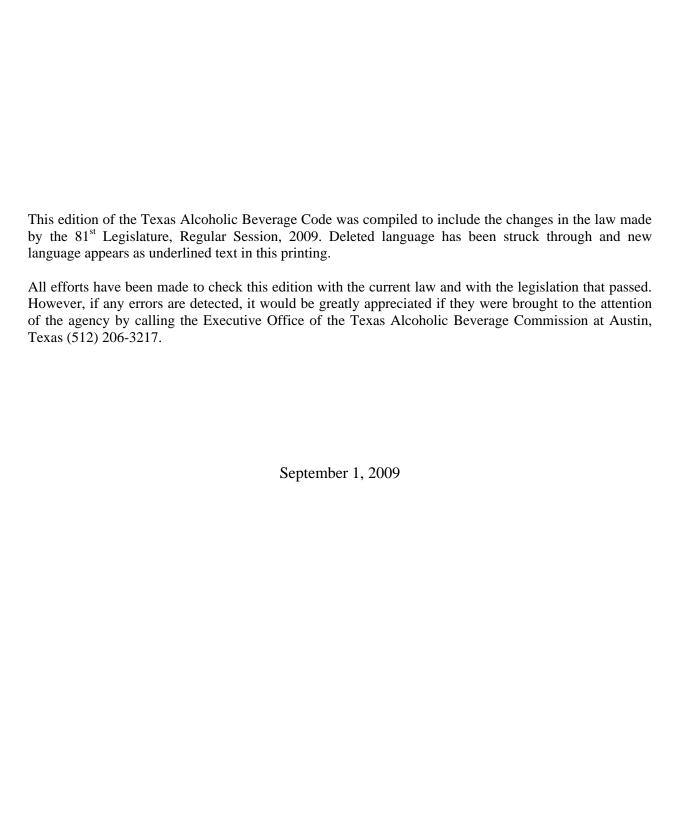


# ALCOHOLIC BEVERAGE CODE

**SEPTEMBER 1, 2009** 



# ALCOHOLIC BEVERAGE CODE

## TABLE OF CONTENTS

TITLE 1. GENERAL PROVISIONS		
Chapter 1.	General Provisions	
TITLE 2. ADMINISTRATION OF CODE		
Chapter 2.	Civil Liabilities for Serving Beverages	
Chapter 5.	Alcoholic Beverage Commission	
1	Subchapter A. Administrative Provisions	
	Subchapter B. Powers and Duties	
Chapter 6.	Activities Subject to Regulation	
TITLE 3. LI	CENSES AND PERMITS	
SUBTITLE A	A. PERMITS	
Chapter 11.	Provisions Generally Applicable to Permits	
1	Subchapter A. General Provisions	
	Subchapter B. Application for and Issuance of Permits	
	Subchapter C. Cancellation and Suspension of Permits	
Chapter 12.	Brewer's Permit	
Chapter 13.	Nonresident Brewer's Permit	
Chapter 14.	Distiller's and Rectifier's Permit	
Chapter 16.	Winery Permit	
Chapter 17.	Winery Festival Permit	
Chapter 18.	Wine Bottler's Permit	
Chapter 19.	Wholesaler's Permit	
Chapter 20.	General Class B Wholesaler's Permit	
Chapter 21.	Local Class B Wholesaler's Permit	
Chapter 22.	Package Store Permit	
Chapter 23.	Local Distributor's Permit	
Chapter 24.	Wine Only Package Store Permit	
Chapter 25.	Wine and Beer Retailer's Permit	
Chapter 26.	Wine and Beer Retailer's Off-Premise Permit	
Chapter 27.	Temporary and Special Wine and Beer Retailer's Permits	
	Subchapter A. Temporary Wine and Beer Retailer's Permit	
<b>~</b>	Subchapter B. Special Three-Day Wine and Beer Permit	
Chapter 28.	Mixed Beverage Permit	
Chapter 29.	Mixed Beverage Late Hours Permit	
Chapter 30.	Daily Temporary Mixed Beverage Permit	
Chapter 31.	Caterer's Permit	
Chapter 32.	Private Club Registration Permit	
Chapter 33.	Other Private Club Permits	
	Subchapter A. Private Club Late Hours Permit	
Clarate 2.4	Subchapter B. Daily Temporary Private Club Permit	
Chapter 34.	Airline Beverage Permit	
Chapter 35.	Agent's Permit	

Manufacturer's Agent's Permit Nonresident Seller's Permit

**Industrial Permit** 

Chapter 36. Chapter 37.

Chapter 38.

Chapter 41.	Carrier Permit
Chapter 42.	Private Carrier Permit
Chapter 43.	Local Cartage Permit
Chapter 44.	Beverage Cartage Permit
Chapter 45.	Storage Permit
Chapter 46.	Bonded Warehouse Permit
Chapter 47.	Local Industrial Alcohol Manufacturer's Permit
Chapter 48.	Passenger Train Beverage Permit
Chapter 49.	Market Research Packager's Permit
Chapter 50.	Promotional Permit
Chapter 51.	Minibar Permit
Chapter 52.	Package Store Tasting Permit
Chapter 53.	Temporary Charitable Auction Permit
Chapter 54.	Out-of-State Winery Direct Shipper's Permit
Chapter 55.	Manufacturer's Agent's Warehousing Permit
SUBTITLE B.	LICENSES
Chapter 61.	Provisions Generally Applicable to Licenses
1	Subchapter A. General Provisions
	Subchapter B. Application and Issuance of Licenses
	Subchapter C. Cancellation and Suspension of Licenses
Chapter 62.	Manufacturer's License
Chapter 63.	Nonresident Manufacturer's License
Chapter 64.	General Distributor's License
Chapter 65.	Local Distributor's License
Chapter 66.	Branch Distributor's License
Chapter 67.	Importer's License
Chapter 68.	Importer's Carrier's License
Chapter 69.	Retail Dealer's On-Premise License
Chapter 70.	Retail Dealer's On-Premise Late Hours License
Chapter 71.	Retail Dealer's Off-Premise License
Chapter 72.	Temporary Licenses
Chapter 73.	Agent's Beer License
Chapter 74.	Brewpub License
Chapter 75.	Storage License
SURTITLE C	PROVISIONS APPLICABLE TO PERMITS AND LICENSES

## SUBTITLE C. PROVISIONS APPLICABLE TO PERMITS AND LICENSES

CHAPTER 81. Common Nuisance

#### TITLE 4. REGULATORY AND PENAL PROVISIONS

Chapter 101. General Criminal Provisions

Subchapter A. Procedural Provisions

Subchapter B. Offenses Relating to Dry Areas

Subchapter C. Containers

Subchapter D. Miscellaneous Offenses

Chapter 102. Intra-Industry Relationships

Subchapter A. General Provisions

Subchapter B. Regulation of Credit Transactions Subchapter C. Territorial Limits on Sale of Beer Subchapter D. Beer Industry Fair Dealing Law

Chapter 103. Illicit Beverages

Chapter 104. Regulation of Retailers

Chapter 105. Hours of Sale and Consumption

Chapter 106. Provisions Relating to Age

Chapter 107. Transportation and Importation

Chapter 108. Advertising

Subchapter A. General Provisions Relating to Advertising

Subchapter B. Outdoor Advertising

Subchapter C. Industry Public Entertainment Facilities Act

Chapter 109. Miscellaneous Regulatory Provisions

Subchapter A. Salvaged and Insured Losses

Subchapter B. Home Production of Wine, Ale, Malt Liquor, or Beer

Subchapter C. Local Regulation of Alcoholic Beverages

Subchapter D. Other Miscellaneous Provisions

Chapter 110. Texas Wine Marketing Assistance Program in Department of Agriculture

Subchapter A. General Provisions

Subchapter B. Texas Wine Marketing Assistance Program

#### TITLE 5. TAXATION

Chapter 201. Liquor Taxes

Subchapter A. Tax on Liquor Other Than Ale and Malt Liquor

Subchapter B. Tax on Ale and Malt Liquor

Subchapter C. Stamps

Chapter 203. Beer Tax

Chapter 204. Bonds

Chapter 205. Revenue Allocation

Chapter 206. Provisions Generally Applicable to Taxation

### TITLE 6. LOCAL OPTION ELECTIONS

Chapter 251. Local Option Status

Subchapter D. Miscellaneous Local Option Provisions

#### **INDEX**

**APPENDIX A** - Agriculture Code §12.039 Certain Wine Produced Or Bottled In This State

**APPENDIX B -** Education Code §38.007 Alcohol-Free School Zones

**APPENDIX C** - Election Code, Title 17, Chapter 501 Local Option Elections On Sale Of Alcoholic Beverages

**APPENDIX D -** Government Code Chapter 411, §411.204 Notice Required On Certain Premises and Chapter 573, §§573.021 - 573.024 Determination of Consanguinity and Affinity

**APPENDIX E** - Health & Safety Code §161.0825 Use Of Certain Electronically Readable Information

**APPENDIX F -** Human Resource Code §42.002 Definitions

**APPENDIX G -** Penal Code §46.035(b)(1) Unlawful Carrying Of Handgun By License Holder and Chapter 49 Intoxication And Alcoholic Beverage Offenses

**APPENDIX H** - Transportation Code §521.351 Purchase Of Alcohol For Minor Or Furnishing Alcohol To Minor: Automatic Suspension; License Denial

**APPENDIX I** – Vernon's Civil Statutes, Title 6. Public Houses of Amusement, Art. 179e. Texas Racing Act §6.06(j)