

CHAPTER 923

H.B. No. 908

AN ACT

relating to extended hours for the sale, delivery, consumption, and possession of alcoholic beverages.

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

SECTION 1. Sections 105.05(c) and (d), Alcoholic Beverage Code, are amended to read as follows:

(c) In a county having a population of 500,000 [300,000] or more, according to the last preceding federal census, a holder of a retail dealer's on-premise late hours license may also sell, offer for sale, and deliver beer between midnight and 2 a.m. on any day.

(d) In a county having a population of less than 500,000 [300,000], according to the last preceding federal census, the extended hours prescribed in Subsection (c) of this section are effective for the sale, offer to sell, and delivery of beer by a holder of a retail dealer's on-premise late hours license:

(1) in the unincorporated areas of the county if the extended hours are adopted by an order of the commissioners court; and

(2) in an incorporated city or town if the extended hours are adopted by an ordinance of the governing body of the city or town.

SECTION 2. Sections 105.03(c) and (d), Alcoholic Beverage Code, are amended to read as follows:

(c) In a county having a population of 500,000 [300,000] or more, according to the last preceding federal census, a holder of a mixed beverage late hours permit may also sell and offer for sale mixed beverages between midnight and 2 a.m. on any day.

(d) In a county having a population of less than 500,000 [300,000], according to the last preceding federal census, the extended hours prescribed in Subsection (c) of this section are effective for the sale of mixed beverages and the offer to sell them by a holder of a mixed beverages late hour permit:

(1) in the unincorporated areas of the county if the extended hours are adopted by an order of the commissioners court; and

(2) in an incorporated city or town if the extended hours are adopted by an ordinance of the governing body of the city or town.

SECTION 3. Section 105.06(a), Alcoholic Beverage Code, is amended to read as follows:

(a) In this section:

(1) "Extended hours area" means an area{:

~~[(A) located in a county having a population of more than 300,000, according to the last preceding federal census; or~~

~~[(B) located in a county having a population of not more than 300,000, according to the last preceding federal census, if the area has been made]~~ subject to the extended hours of sale provided in Section 105.03 or 105.05 of this code.

(2) "Standard hours area" means an area which is not an extended hours area.

SECTION 4. This Act takes effect September 1, 1993.

SECTION 5. 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.

Passed by the House on April 23, 1993, by a non-record vote; passed by the Senate on May 29, 1993: Yeas 31, Nays 0.

Approved June 19, 1993.

Effective Sept. 1, 1993.