

CHAPTER 482

H.B. No. 1123

AN ACT

relating to a limousine service alcoholic beverage permit.

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

SECTION 1. Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 50 to read as follows:

CHAPTER 50. LIMOUSINE SERVICE BEVERAGE PERMIT

Sec. 50.01. AUTHORIZED ACTIVITIES. The holder of a limousine service beverage permit may:

- (1) sell or serve alcoholic beverages in a limousine operated by the limousine service;*
- (2) purchase alcoholic beverages from those permittees and licensees from whom a mixed beverage permittee may purchase alcoholic beverages; and*
- (3) store alcoholic beverages in the manner provided by rules adopted by the commission.*

Sec. 50.02. FEE. (a) The annual state fee for an original limousine service beverage permit is \$100 for each limousine operated by the limousine service.

(b) The annual state fee for the renewal of a limousine service beverage permit is \$50 for each limousine operated by the limousine service.

Sec. 50.03. RECORDKEEPING; DISPLAY OF PERMIT; RULEMAKING. The commission shall adopt rules governing the conduct of the holder of a limousine service beverage permit, including defining the term "limousine service," requirements for recordkeeping, display of the permit, and prohibitions against removal from a limousine of alcoholic beverages in their original containers in which purchased.

Sec. 50.04. TAXES. (a) The taxes imposed by this code shall be paid on all alcoholic beverages in a limousine or in a storage area maintained by a limousine service beverage permittee in accordance with rules prescribed by the commission.

(b) The preparation and service of alcoholic beverages by the holder of a limousine service beverage permit is exempt from the tax imposed by the Limited Sales, Excise, and Use Tax Act (Section 151.001 et seq., Tax Code). A limousine service beverage fee of five cents is imposed on each individual serving of an alcoholic beverage served by the permittee inside the state. The fee accrues at the time the container containing the alcoholic beverage is delivered to the passenger. The permittee shall remit the fees to the commission each month under a reporting system prescribed by rules of the commission.

Sec. 50.05. OPERATION IN DRY AREA. A limousine service beverage permit is inoperative in a dry area.

SECTION 2. This Act takes effect September 1, 1987.

SECTION 3. 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 May 7, 1987, by a non-record vote. Passed by the Senate on May 29, 1987, by the following vote: Yeas 30, Nays 0.

Approved June 17, 1987.

Effective Sept. 1, 1987.