

1-1 By: Metcalf (Senate Sponsor - Hancock) H.B. No. 1755  
 1-2 (In the Senate - Received from the House April 8, 2021;  
 1-3 April 12, 2021, read first time and referred to Committee on  
 1-4 Business & Commerce; April 23, 2021, reported favorably by the  
 1-5 following vote: Yeas 8, Nays 0; April 23, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7 Hancock	X			
1-8 Nichols	X			
1-9 Campbell	X			
1-10 Creighton	X			
1-11 Johnson	X			
1-12 Menéndez			X	
1-13 Paxton	X			
1-14 Schwertner	X			
1-15 Whitmire	X			

1-17 A BILL TO BE ENTITLED  
 1-18 AN ACT

1-19 relating to the removal of an alcoholic beverage by an ultimate  
 1-20 consumer from the premises of a mixed beverage permit holder.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 28.10(b), Alcoholic Beverage Code, as  
 1-23 effective September 1, 2021, is amended to read as follows:

1-24 (b) A mixed beverage permittee may not permit any person to  
 1-25 take any alcoholic beverage purchased on the licensed premises from  
 1-26 the premises where sold, except that:

1-27 (1) a person who orders wine with food [~~and has a~~  
 1-28 ~~portion of the open container remaining~~] may remove the [~~open~~  
 1-29 container of wine from the premises whether the container is opened  
 1-30 or unopened; and

1-31 (2) a mixed beverage permittee who also holds a  
 1-32 brewpub license may sell or offer without charge on the premises of  
 1-33 the brewpub, to an ultimate consumer for consumption on or off the  
 1-34 premises, malt beverages produced by the permittee, in or from a  
 1-35 lawful container in an amount that does not exceed one-half barrel,  
 1-36 provided that the aggregate amount of malt beverages removed from  
 1-37 the premises under this subdivision does not exceed 1,000 barrels  
 1-38 annually.

1-39 SECTION 2. This Act takes effect September 1, 2021.

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