

## **BILL ANALYSIS**

H.B. 2579  
By: Goolsby  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, a mixed beverage permittee may sell and offer for sale mixed beverages between 7 a.m. and midnight on any day except Sunday. On Sunday, mixed beverages may be sold between midnight and 1:00 a.m. and between 10 a.m. and midnight, except that an alcoholic beverage served to a customer between 10 a.m. and 12 noon on Sunday must be provided during the service of food to the customer.

In a county having a population of 500,000 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.

In a county having a population of less than 500,000, the above referenced extended hours 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.

This bill provides that cities have uniform late hours provisions without the city or county having to adopt late hours provisions. As such, they do not have to adhere to the overlapping county requirements. For instance, the City of Dallas bleeds into Denton and Collin County but this bill would provide that the portion of city (example: Dallas) that overlaps into these counties would enjoy the same privilege of late hours as the current city exemption allows

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

Amends Subsections (c) and (d) of Section 105.03, Alcoholic Beverage Code by adding city to existing language allowing counties to sell mixed beverages between midnight and 2:00 a.m. any day for those with a mixed beverage late hours permit.

Amends Subsections (c) and (d) of Section 105.05, Alcoholic Beverage Code, by adding city to existing language allowing counties to sell and deliver beer between midnight and 2:00 a.m. any day for those with a retail dealer's on-premises late hours license.

### **EFFECTIVE DATE**

September 1, 2003.