

AN ACT

relating to the extended hours of sale for mixed beverages and beer in certain cities.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Sections 105.03(c) and (d), Alcoholic Beverage Code, are amended to read as follows:

(c) In a city or 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.

(d) In a city or county having a population of less than 500,000, 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 hours 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 2. Sections 105.05(c) and (d), Alcoholic Beverage Code, are amended to read as follows:

(c) In a city or county having a population of 500,000 or

1 more, according to the last preceding federal census, a holder of a  
2 retail dealer's on-premise late hours license may also sell, offer  
3 for sale, and deliver beer between midnight and 2 a.m. on any day.

4 (d) In a city or county having a population of less than  
5 500,000, according to the last preceding federal census, the  
6 extended hours prescribed in Subsection (c) of this section, or any  
7 part of the extended hours prescribed in Subsection (c) of this  
8 section are effective for the sale, offer to sell, and delivery of  
9 beer by a holder of a retail dealer's on-premise late hours license:

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

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

16 SECTION 3. This Act takes effect September 1, 2003.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2579 was passed by the House on May 16, 2003, by a non-record vote.

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Chief Clerk of the House

I certify that H.B. No. 2579 was passed by the Senate on May 28, 2003, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

APPROVED: \_\_\_\_\_

Date

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Governor