

1-1 By: Averitt S.B. No. 338
1-2 (In the Senate - Filed January 31, 2003; February 11, 2003,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 March 3, 2003, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 9, Nays 0; March 3, 2003,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 338 By: Averitt

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to a local option election for the sale of certain
1-11 alcoholic beverages in certain cities or towns located in more than
1-12 one county.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (a), Section 251.18, Alcoholic
1-15 Beverage Code, is amended to read as follows:

1-16 (a) This section applies only to an election to permit or
1-17 prohibit the legal sale of:

1-18 (1) mixed beverages by a food and beverage certificate
1-19 holder in an incorporated city or town that is located in more than
1-20 one county; ~~or~~

1-21 (2) beer and wine in an incorporated city or town that
1-22 does not permit beer and wine sales on September 1, 2001, and is
1-23 located in:

1-24 (A) two counties:

1-25 (i) that each have a population of at least
1-26 250,000 but not more than one million; and

1-27 (ii) one of which contains a city or town
1-28 with a population of 125,000 or more; or

1-29 (B) three counties:

1-30 (i) that each have a population of not more
1-31 than 300,000; and

1-32 (ii) one of which contains a city or town
1-33 with a population of 20,000 or more; or

1-34 (3) beer and wine in an incorporated city or town that:

1-35 (A) is located in two counties:

1-36 (i) that each have a population of at least
1-37 125,000 but not more than 1.5 million; and

1-38 (ii) one of which contains a city or town
1-39 with a population of 525,000 or more; and

1-40 (B) has a population of less than 25,000.

1-41 SECTION 2. This Act takes effect September 1, 2003.

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