

## **BILL ANALYSIS**

H.B. 168  
By: Deshotel  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently, state law prohibits the sale of beer and wine prior to noon on Sundays. However, there is an exception which allows for the sale of beer and wine after 10:00 a.m. at Sunday ASports Venues.@ This exception for ASports Venues@ does not include the many fairs, festivals, and concerts that take place on Sunday mornings. Due to the current state of the law, vendors at these events are losing two hours worth of sales opportunity. This bill would allow these venues to increase their sales significantly.

H. B. 168 would allow vendors associated with fairs, festivals, and concert events to sell beer and wine starting at 10:00 a.m., rather than noon.

### **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**

SECTION 1. Amends Chapter 105, Alcoholic Beverage Code, by adding Section 105.08, as follows:

Sec. 105.08. HOURS OF SALE AND CONSUMPTION: CERTAIN EVENTS.  
Notwithstanding any other provision of this code, this section:

- (1) Authorizes a licensed or permitted premises located at a festival, fair, or concert to sell alcoholic beverages between 10 a.m. and noon.
- (2) Authorizes a person to consume alcoholic beverages at a festival, fair, or concert between 10 a.m. and noon.

SECTION 2. Effective date: September 1, 2005.

### **EFFECTIVE DATE**

September 1, 2005.