

By: Dutton

H.B. No. 428

A BILL TO BE ENTITLED

AN ACT

relating to the hours for selling alcoholic beverages in certain establishments.

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

SECTION 1. Section 105.01(a), Alcoholic Beverage Code, is amended to read as follows:

(a) Except as provided in Sections 105.02, 105.03, ~~and~~ 105.04, and 105.08 of this code, no person may sell, offer for sale, or deliver any liquor:

(1) on New Year's Day, Thanksgiving Day, or Christmas Day;

(2) on Sunday; or

(3) before 10 a. m. or after 9 p. m. on any other day.

SECTION 2. Section 105.06, Alcoholic Beverage Code, is amended by amending Subsections (b) and (c) and adding Subsection (f) to read as follows:

(b) Except as provided by Subsection (f), in ~~in~~ a standard hours area, a person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage in a public place at any time on Sunday between 1:15 a. m. and 12 noon or on any other day between 12:15 a. m. and 7 a. m.

(c) Except as provided by Subsection (f), in ~~in~~ an extended hours area, a person commits an offense if he consumes or possesses with intent to consume an alcoholic beverage in a public

1 place at any time on Sunday between 2:15 a. m. and 12 noon and on any
2 other day between 2:15 a. m. and 7 a. m.

3 (f) A person may consume or possess alcoholic beverages in a
4 hotel bar, as defined by Section 105.08, at any time.

5 SECTION 3. Chapter 105, Alcoholic Beverage Code, is amended
6 by adding Section 105.08 to read as follows:

7 Sec. 105.08. HOURS OF SALE; HOTEL BAR. (a) In this
8 section, "hotel bar" means an establishment that is located in a
9 hotel and holds a permit or license providing for the on-premises
10 consumption of alcoholic beverages.

11 (b) Notwithstanding any other law, a hotel bar may sell or
12 offer for sale alcoholic beverages at any time.

13 SECTION 4. This Act takes effect September 1, 2005.