

AN ACT

relating to private club alcoholic beverage permits issued to a fraternal or veterans organization.

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

SECTION 1. Section 32.11, Alcoholic Beverage Code, is amended by amending Subsection (b) and adding Subsection (e) to read as follows:

(b) The permit fee imposed by Section 32.02 ~~[of this code]~~ and the provisions of Sections 32.03 and 32.10 ~~[of this code]~~ requiring regular food service and prohibiting guests from paying in cash do not apply to a private club established by a fraternal or veterans organization. The private club is ~~[Those organizations are]~~ also exempt from Sections 32.05 and 32.06 ~~[of this code]~~, and the members of the club ~~[organization]~~ may use any club funds owned by them jointly, including revenue from the service of alcoholic beverages, to replenish their joint stock of alcoholic beverages.

(e) A fraternal or veterans organization that holds a permit under this chapter and the private club established under that permit are considered separate entities for the purposes of determining compliance with and enforcing this code. The fraternal or veterans organization shall establish a membership committee for the permitted entity for the purposes of Sections 32.03(c) and (d). Membership in the private club is governed by this code. Membership in the fraternal or veterans organization is not subject to the

1 requirements of this code.

2           SECTION 2. This Act takes effect immediately if it receives  
3 a vote of two-thirds of all the members elected to each house, as  
4 provided by Section 39, Article III, Texas Constitution. If this  
5 Act does not receive the vote necessary for immediate effect, this  
6 Act takes effect September 1, 2005.

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President of the Senate

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Speaker of the House

I certify that H.B. No. 2064 was passed by the House on May 13, 2005, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 2064 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

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

Date

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Governor