

By: Nelson

S.B. No. 135

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to regulating the sale of certain alcoholic beverages at  
3 drive-up windows.

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

5 SECTION 1. Subchapter D, Chapter 109, Alcoholic Beverage  
6 Code, is amended by adding Section 109.62 to read as follows:

7 Sec. 109.62. PURCHASE AT DRIVE-UP WINDOW. (a) A holder of a  
8 license or permit issued under this code may not sell an alcoholic  
9 beverage to a person at a drive-up window operated by the license or  
10 permit holder unless the beverage is in a factory-sealed container.

11 (b) For purposes of this section, a person sells an  
12 alcoholic beverage at a drive-up window if the person sells the  
13 alcoholic beverage in a manner that allows the buyer to approach the  
14 exterior or interior of the licensed or permitted premises in a  
15 motor vehicle and purchase the alcoholic beverage without exiting  
16 from the vehicle.

17 SECTION 2. This Act takes effect September 1, 2005.