

By: Dutton

H.B. No. 815

Substitute the following for H.B. No. 815:

By: Jones

C.S.H.B. No. 815

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the hours for selling alcoholic beverages in certain
3 establishments.

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

5 SECTION 1. Subtitle A, Title 3, Alcoholic Beverage Code, is
6 amended by adding Chapter 29A to read as follows:

7 CHAPTER 29A. ALL-NIGHT HOTEL MIXED BEVERAGE PERMIT

8 Sec. 29A.01. ELIGIBILITY FOR PERMIT. The commission or the
9 administrator may issue an all-night hotel mixed beverage permit
10 only to the holder of a mixed beverage permit whose premises are
11 located in a hotel that has 100 or more guest rooms and provides
12 regular food service to hotel guests.

13 Sec. 29A.02. AUTHORIZED ACTIVITIES. (a) The holder of an
14 all-night hotel mixed beverage permit may sell mixed beverages only
15 to a registered guest of the hotel on Sunday between the hours of 1
16 a.m. and 12 noon and on any other day between the hours of midnight
17 and 7 a.m.

18 (b) A hotel guest may not pay, in any manner other than as
19 required by this subsection, for mixed beverages served to the
20 hotel guest at a time when the service of alcoholic beverages is
21 restricted to only hotel guests. The permit holder shall bill the
22 charge for the mixed beverages to the hotel guest's account, and the
23 guest shall pay the charge along with other hotel charges,
24 including the charge for using the hotel room, when the hotel guest

1 ends the guest's stay at the hotel. The hotel shall make its
2 records available for inspection at the request of the commission.

3 Sec. 29A.03. FEE. The annual state fee for an all-night
4 hotel mixed beverage permit is \$1,000.

5 Sec. 29A.04. APPLICATION OF PROVISIONS REGULATING MIXED
6 BEVERAGE PERMITS. All provisions of this code that apply to a mixed
7 beverage permit also apply to an all-night hotel mixed beverage
8 permit.

9 SECTION 2. Section 105.03, Alcoholic Beverage Code, is
10 amended by adding Subsection (f) to read as follows:

11 (f) The holder of an all-night hotel mixed beverage permit
12 may sell mixed beverages to a registered guest of the hotel only
13 between the hours of midnight and 7 a.m. on any day except Sunday.
14 On Sunday the permit holder may sell mixed beverages to a registered
15 guest of the hotel only between the hours of 1 a.m. and 12 noon.

16 SECTION 3. Section 105.06, Alcoholic Beverage Code, is
17 amended by amending Subsections (b) and (c) and adding Subsection
18 (f) to read as follows:

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

24 (c) Except as provided by Subsection (f), in [~~In~~] an
25 extended hours area, a person commits an offense if the person [~~he~~]
26 consumes or possesses with intent to consume an alcoholic beverage
27 in a public place at any time on Sunday between 2:15 a. m. and 12

1 noon and on any other day between 2:15 a. m. and 7 a. m.

2 (f) A person who is a registered guest of a hotel may consume
3 or possess alcoholic beverages in the hotel bar on Sunday between
4 the hours of 1 a.m. and 12 noon and on any other day between the
5 hours of midnight and 7 a.m. if the hotel bar holds an all-night
6 hotel mixed beverage permit.

7 SECTION 4. This Act takes effect September 1, 2007.