

AN ACT

relating to the sale of mixed beverages aboard certain passenger vessels.

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

SECTION 1. Section 28.13, Alcoholic Beverage Code, is amended by adding Subsections (a-1) and (f) and amending Subsections (d) and (e) to read as follows:

(a-1) A mixed beverage permit may be issued for a regularly scheduled excursion boat that is licensed by the United States Coast Guard to carry passengers on the navigable waters of the state if:

(1) the boat:

(A) carries at least 45 passengers;

(B) weighs at least 35 gross tons; and

(C) is at least 55 feet long;

(2) the home port of the boat is in an area where the sale of mixed beverages is legal; and

(3) the owner or operator of the boat is the sole permit holder for the boat.

(d) A mixed beverage permit may be issued under this section to a boat regularly used for voyages in international waters regardless of whether the sale of mixed beverages is lawful in the area of the home port. A person having authority to deliver alcoholic beverages to a mixed beverage permit holder in the county

1 where the licensed premises is located may deliver alcoholic  
2 beverages purchased by the permit holder. Subsections [~~Subsection~~]  
3 (a)(2) and (a-1)(2) do [~~does~~] not apply to this subsection.

4 (e) The provisions of Section 109.53 that relate to  
5 residency requirements and compliance with Texas laws of  
6 incorporation:

7 (1) do not apply to the holders of a mixed beverage  
8 permit under Subsection (a); and

9 (2) do apply to the holder of a mixed beverage permit  
10 under Subsection (a-1) [~~this section~~].

11 (f) A permit for an excursion boat issued under Subsection  
12 (a-1) is inoperative in a dry area.

13 SECTION 2. This Act takes effect September 1, 2007.

H.B. No. 1248

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President of the Senate

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Speaker of the House

I certify that H.B. No. 1248 was passed by the House on April 25, 2007, by the following vote: Yeas 137, Nays 8, 1 present, not voting.

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Chief Clerk of the House

I certify that H.B. No. 1248 was passed by the Senate on May 15, 2007, by the following vote: Yeas 31, Nays 0.

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Secretary of the Senate

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

Date

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Governor