

By: Taylor (Senate Sponsor - Jackson) H.B. No. 1248
(In the Senate - Received from the House April 26, 2007;
May 1, 2007, read first time and referred to Committee on Business
and Commerce; May 10, 2007, reported favorably by the following
vote: Yeas 7, Nays 0; May 10, 2007, sent to printer.)

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

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

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

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

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

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

* * * * *