

1-1 By: Averitt S.B. No. 1426  
1-2 (In the Senate - Filed March 8, 2007; March 20, 2007, read  
1-3 first time and referred to Committee on Business and Commerce;  
1-4 April 10, 2007, reported adversely, with favorable Committee  
1-5 Substitute by the following vote: Yeas 9, Nays 0; April 10, 2007,  
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 1426 By: Averitt

1-8 A BILL TO BE ENTITLED  
1-9 AN ACT

1-10 relating to the issuance of a food and beverage certificate to the  
1-11 holder of a wine and beer retailer's permit or a retail dealer's  
1-12 on-premise license.

1-13 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-14 SECTION 1. Subsection (b), Section 25.13, Alcoholic  
1-15 Beverage Code, is amended to read as follows:

1-16 (b) An applicant or holder of a food and beverage  
1-17 certificate shall have food service facilities for the preparation  
1-18 and service of multiple entrees. The commission shall adopt rules  
1-19 as necessary to assure that the holder of a food and beverage  
1-20 certificate maintains food service as the primary business on the  
1-21 premises for which a food and beverage certificate has been issued.  
1-22 The commission may exempt permittees who are concessionaires in  
1-23 public entertainment venues such as sports stadiums and convention  
1-24 centers from the requirement that food service be the primary  
1-25 business on the premises.

1-26 SECTION 2. Subsection (b), Section 69.16, Alcoholic  
1-27 Beverage Code, is amended to read as follows:

1-28 (b) An applicant or holder of a food and beverage  
1-29 certificate shall have food service facilities for the preparation  
1-30 and service of multiple entrees. The commission shall adopt rules  
1-31 as necessary to assure that the holder of a food and beverage  
1-32 certificate maintains food service as the primary business on the  
1-33 premises for which a food and beverage certificate has been issued.  
1-34 The commission may exempt permittees who are concessionaires in  
1-35 public entertainment venues such as sports stadiums and convention  
1-36 centers from the requirement that food service be the primary  
1-37 business on the premises.

1-38 SECTION 3. This Act takes effect September 1, 2007.

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