

BILL ANALYSIS

H.B. 2237
By: Hamilton
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Alcoholic Beverage Code currently restricts the alcoholic beverages a wine and beer retailer's permittee may have on the premises to those with less than 17 percent alcohol by volume. Current law also restricts the alcoholic beverages a mixed beverage permittee may have on the premises to those that are covered by an invoice from a local distributor. In a restaurant environment, various types of wines and liquors are used for cooking that may exceed 17 percent alcohol by volume or may not be available from a local distributor.

H.B. 2237 authorizes the Texas Alcoholic Beverage Commission by rule to allow the possession and use of these types of alcoholic beverages for cooking purposes.

RULEMAKING AUTHORITY

It is the committee's opinion that rulemaking authority is expressly granted to the Texas Alcoholic Beverage Commission in SECTIONS 1 and 2 of this bill.

ANALYSIS

H.B. 2237 amends the Alcoholic Beverage Code to authorize the Texas Alcoholic Beverage Commission by rule to allow a wine and beer retailer's permittee or the permittee's officer to possess and use alcoholic beverages in excess of 17 percent by volume on the licensed premises for cooking purposes and to allow the holder of a mixed beverage permit or an officer, agent, or employee of the permit holder to possess and use alcoholic beverages that are not covered by the supplier's invoice on the permitted premises for cooking purposes.

EFFECTIVE DATE

September 1, 2009.