

AN ACT

relating to possession by certain alcoholic beverage permit holders of certain alcoholic beverages for cooking purposes.

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

SECTION 1. Section 25.09, Alcoholic Beverage Code, is amended to read as follows:

Sec. 25.09. POSSESSION OF CERTAIN BEVERAGES PROHIBITED.

(a) Except as provided by this section, a [No] wine and beer retailer's permittee or an[~~er~~] officer of the permittee[~~r~~] may not possess distilled spirits or liquor containing alcohol in excess of 17 percent by volume on the licensed premises.

(b) The commission by rule may 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.

SECTION 2. Section 28.06, Alcoholic Beverage Code, is amended by adding Subsection (e) to read as follows:

(e) The commission by rule may 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 an invoice on the permitted premises for cooking purposes.

SECTION 3. This Act takes effect September 1, 2009.

President of the Senate

Speaker of the House

I certify that H.B. No. 2237 was passed by the House on March 31, 2009, by the following vote: Yeas 147, Nays 0, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 2237 was passed by the Senate on May 26, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor