

AN ACT

relating to creating a winery festival permit.

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

SECTION 1. Subtitle A, Title 3, Alcoholic Beverage Code, is amended by adding Chapter 17 to read as follows:

CHAPTER 17. WINERY FESTIVAL PERMIT

Sec. 17.01. AUTHORIZED ACTIVITIES. (a) The holder of a winery festival permit may sell wine at a civic or wine festival, farmers' market, celebration, or similar event.

(b) The holder of a winery festival permit may not offer wine for sale under this chapter:

(1) for more than five days within any 30-day period;

or

(2) on more than three consecutive days at the same location.

Sec. 17.02. QUALIFICATION FOR PERMIT. A winery festival permit may be issued only to the holder of a winery permit.

Sec. 17.03. NOTICE OF SALES; PROCEDURES. (a) Before the holder of a winery festival permit offers wine for sale under this chapter, the permit holder must, in accordance with any rules adopted or procedures established by the commission, notify the commission of the date on which and location where the permit holder will offer wine for sale under this chapter.

Sec. 17.04. PERMIT FEE. The fee for a winery festival

1 permit is \$50.

2 Sec. 17.05. APPLICABILITY OF OTHER LAW. (a) The
3 provisions of this code applicable to the sale of wine on the
4 permitted premises of the holder of a winery permit apply to the
5 sale of wine under this chapter.

6 (b) The winery permit of the holder of a winery festival
7 permit may be canceled or suspended for a violation occurring in
8 connection with activities conducted under this chapter.

9 SECTION 2. This Act takes effect September 1, 2009.

S.B. No. 711

President of the Senate

Speaker of the House

I hereby certify that S.B. No. 711 passed the Senate on April 2, 2009, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

I hereby certify that S.B. No. 711 passed the House on May 20, 2009, by the following vote: Yeas 134, Nays 0, two present not voting.

Chief Clerk of the House

Approved:

Date

Governor