

1-1 By: Nelson S.B. No. 711  
1-2 (In the Senate - Filed February 6, 2009; February 25, 2009,  
1-3 read first time and referred to Committee on Business and Commerce;  
1-4 March 18, 2009, reported favorably by the following vote: Yeas 5,  
1-5 Nays 0; March 18, 2009, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to creating a winery festival permit.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subtitle A, Title 3, Alcoholic Beverage Code, is  
1-11 amended by adding Chapter 17 to read as follows:

1-12 CHAPTER 17. WINERY FESTIVAL PERMIT

1-13 Sec. 17.01. AUTHORIZED ACTIVITIES. (a) The holder of a  
1-14 winery festival permit may sell wine at a civic or wine festival,  
1-15 farmers' market, celebration, or similar event.

1-16 (b) The holder of a winery festival permit may not offer  
1-17 wine for sale under this chapter:

1-18 (1) for more than five days within any 30-day period;

1-19 or

1-20 (2) on more than three consecutive days at the same  
1-21 location.

1-22 Sec. 17.02. QUALIFICATION FOR PERMIT. A winery festival  
1-23 permit may be issued only to the holder of a winery permit.

1-24 Sec. 17.03. NOTICE OF SALES; PROCEDURES. (a) Before the  
1-25 holder of a winery festival permit offers wine for sale under this  
1-26 chapter, the permit holder must, in accordance with any rules  
1-27 adopted or procedures established by the commission, notify the  
1-28 commission of the date on which and location where the permit holder  
1-29 will offer wine for sale under this chapter.

1-30 Sec. 17.04. PERMIT FEE. The fee for a winery festival  
1-31 permit is \$50.

1-32 Sec. 17.05. APPLICABILITY OF OTHER LAW. (a) The  
1-33 provisions of this code applicable to the sale of wine on the  
1-34 permitted premises of the holder of a winery permit apply to the  
1-35 sale of wine under this chapter.

1-36 (b) The winery permit of the holder of a winery festival  
1-37 permit may be canceled or suspended for a violation occurring in  
1-38 connection with activities conducted under this chapter.

1-39 SECTION 2. This Act takes effect September 1, 2009.

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