

SENATE AMENDMENTS

2nd Printing

By: Thompson

H.B. No. 2594

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the hours for the wholesale delivery or sale of
3 alcoholic beverages.

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

5 SECTION 1. Section 105.02, Alcoholic Beverage Code, is
6 amended to read as follows:

7 Sec. 105.02. HOURS OF SALE: WHOLESALERS AND LOCAL
8 DISTRIBUTORS TO RETAILERS. (a) A holder of a wholesaler's permit
9 ~~[Except as provided by Subsection (b) of this section, a wholesaler~~
10 ~~or a local distributor's permittee]~~ may sell, offer for sale, or
11 deliver liquor to a retailer anytime ~~[between 5 a. m. and 9 p. m. on~~
12 ~~any day]~~ except Sunday and Christmas Day.

13 (b) A local distributor's permittee may ~~[not]~~ sell, offer
14 for sale, or deliver ~~[any]~~ liquor to a retailer between 5 a.m. and 9
15 p.m. on any day except:

16 (1) Sunday;

17 (2) Christmas Day; or

18 (3) a day on which a package store permittee is
19 prohibited from selling liquor.

20 SECTION 2. Section 105.051, Alcoholic Beverage Code, is
21 amended to read as follows:

22 Sec. 105.051. SALE OF BEER BY DISTRIBUTOR'S LICENSEE. The
23 ~~[In addition to the hours specified for the sale of beer in Section~~
24 ~~105.05(b) of this code, the]~~ holder of a general, local, or branch

1 distributor's license may sell, offer for sale, or deliver beer 24
2 hours a day Monday through Saturday and between midnight and 1 a.m.
3 and between noon and midnight on [~~beginning at 5 a. m. on any day~~
4 ~~except~~] Sunday.

5 SECTION 3. Section 105.052, Alcoholic Beverage Code, is
6 repealed.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.

ADOPTED

APR 21 2009

Atty Gen
Secretary of the Senate

By: *Mario Gallego Jr*

H.B. No. 2594

Substitute the following for ___B. No. _____:

By: *Mike Jackson*

C.S.A.B. No. 2594

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9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 21, 2009

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2594 by Thompson (Relating to the hours for the wholesale delivery or sale of alcoholic beverages.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code, Section 105.02 to allow wholesalers to sell, offer for sale, or deliver liquor to a retailer at anytime except Sunday or Christmas Day. The bill would also allow local distributor's permittees to sell, offer for sale, or deliver liquor to a retailer between 5 a.m. and 9 p.m. on any day except Sunday or Christmas Day. The bill would also amend Section 105.051 to expand the hours holders of certain distributor's licenses are able to sell, offer for sale, or deliver beer. The bill would also repeal Section 105.052, Alcoholic Beverage Code relating to the hours of sale of beer by holders of certain distributor's licenses in certain metropolitan areas. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009.

The Texas Alcoholic Beverage Commission (TABC) and the Comptroller of Public Accounts (CPA) anticipate no significant fiscal impact to their agencies or the State.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: JOB, SD, ESi, JRO, GG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 15, 2009

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2594** by Thompson (Relating to the hours for the wholesale delivery or sale of alcoholic beverages.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code, Section 105.02 to allow wholesalers to sell, offer for sale, or deliver liquor to a retailer at anytime except Sunday or Christmas Day. The bill would also allow local distributor's permittees to sell, offer for sale, or deliver liquor to a retailer between 5 a.m. and 9 p.m. on any day except Sunday or Christmas Day. The bill would also amend Section 105.051 to expand the hours holders of certain distributor's licenses are able to sell, offer for sale, or deliver beer. The bill would also repeal Section 105.052, Alcoholic Beverage Code relating to the hours of sale of beer by holders of certain distributor's licenses in certain metropolitan areas. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009.

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Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: JOB, ESi, JRO, GG

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LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

April 14, 2009

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: **HB2594** by Thompson (Relating to the hours for the wholesale delivery or sale of alcoholic beverages.), **As Engrossed**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code, Section 105.02 to allow wholesalers to sell, offer for sale, or deliver liquor to a retailer at anytime except Sunday or Christmas Day. The bill would also allow local distributor's permittees to sell, offer for sale, or deliver liquor to a retailer between 5 a.m. and 9 p.m. on any day except Sunday or Christmas Day. The bill would also amend Section 105.051 to expand the hours holders of certain distributor's licenses are able to sell, offer for sale, or deliver beer. The bill would also repeal Section 105.052, Alcoholic Beverage Code relating to the hours of sale of beer by holders of certain distributor's licenses in certain metropolitan areas. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009.

The Texas Alcoholic Beverage Commission (TABC) and the Comptroller of Public Accounts (CPA) anticipate no significant fiscal impact to their agencies or the State.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: JOB, JRO, GG, ESi

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 27, 2009

TO: Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2594 by Thompson (Relating to the hours for the wholesale delivery or sale of alcoholic beverages.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code, Section 105.02 to allow wholesalers to sell, offer for sale, or deliver liquor to a retailer at anytime except Sunday or Christmas Day. The bill would also allow local distributor's permittees to sell, offer for sale, or deliver liquor to a retailer between 5 a.m. and 9 p.m. on any day except Sunday or Christmas Day. The bill would also amend Section 105.051 to expand the hours holders of certain distributor's licenses are able to sell, offer for sale, or deliver beer. The bill would also repeal Section 105.052, Alcoholic Beverage Code relating to the hours of sale of beer by holders of certain distributor's licenses in certain metropolitan areas. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009.

The Texas Alcoholic Beverage Commission (TABC) and the Comptroller of Public Accounts (CPA) anticipate no significant fiscal impact to their agencies or the State.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: JOB, JRO, GG, ESi

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

March 24, 2009

TO: Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S. O'Brien, Director, Legislative Budget Board

IN RE: HB2594 by Thompson (Relating to the hours for the wholesale delivery or sale of alcoholic beverages.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code, Section 105.02 to allow wholesalers and holders of a local distributor's permit to sell, offer for sale, or deliver liquor to a retailer at anytime except Sunday or Christmas Day. The bill would also amend Section 105.051 to expand the hours holders of certain distributor's licenses are able to sell, offer for sale, or deliver beer. The bill would also repeal Section 105.052, Alcoholic Beverage Code relating to the hours of sale of beer by holders of certain distributor's licenses in certain metropolitan areas. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009.

The Texas Alcoholic Beverage Commission (TABC) and the Comptroller of Public Accounts (CPA) anticipate no significant fiscal impact to their agencies or the State.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: JOB, JRO, GG, ESi

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