

By: Springer

H.B. No. 3465

A BILL TO BE ENTITLED

AN ACT

relating to the sale of Beer and Wine on Sunday.

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

SECTION 1. Chapter 105, Alcoholic Beverage Code, is amended by altering Section 105.04 and 105.05 to read as follows:

Sec. 105.04. HOURS OF SALE: WINE AND BEER RETAILER. The hours of sale and delivery for alcoholic beverages sold under a wine and beer retailer's permit or a wine and beer retailer's off-premise permit are the same as those prescribed for the sale of beer under Section 105.05 of this code, except that no sale shall be allowed between 2 a.m. and ~~noon~~ 9:00 a.m. on Sunday.

Sec. 105.05. HOURS OF SALE: BEER. (a) No person may sell, offer for sale, or deliver beer at any time not permitted by this section.

(b) A person may sell, offer for sale, or deliver beer between 7 a.m. and midnight on any day except Sunday. On Sunday he may sell beer between midnight and 1:00 a.m. and between noon and midnight, ~~except that permittees or licensees authorized to sell for on-premise consumption may sell beer between 10:00 a.m. and noon if the beer is served to a customer during the service of food to the customer.~~

(c) In a city or county having a population of 800,000 or more, according to the last preceding federal census, or 500,000 or more, according to the 22nd Decennial Census of the United States,

1 as released by the Bureau of the Census on March 12, 2001, a holder
2 of a retail dealer's on-premise late hours license may also sell,
3 offer for sale, and deliver beer between midnight and 2 a.m. on any
4 day.

5 (d) In a city or county other than a city or county described
6 by Subsection (c), the extended hours prescribed in Subsection (c)
7 of this section, or any part of the extended hours prescribed in
8 Subsection (c) of this section are effective for the sale, offer to
9 sell, and delivery of beer by a holder of a retail dealer's
10 on-premise late hours license:

11 (1) in the unincorporated areas of the county if the
12 extended hours are adopted by an order of the commissioners court;
13 and

14 (2) in an incorporated city or town if the extended hours
15 are adopted by an ordinance of the governing body of the city or
16 town.

17 (e) A violation of a city ordinance or order of a
18 commissioners court adopted pursuant to Subsection (d) of this
19 section is a violation of this code.

20 SECTION 2. The Act take effect September 1, 2015.