

By: Murr

H.B. No. 3709

A BILL TO BE ENTITLED

AN ACT

1
2 relating to the employment requirements of a person working as a
3 cashier for transactions involving the sale of alcoholic beverages.

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

5 SECTION 1. Section 106.09, Alcoholic Beverage Code, is
6 amended to read as follows:

7 Sec. 106.09. EMPLOYMENT OF MINORS. (a) Except as provided
8 in Subsections (b), (c), ~~and (e)~~, and (f) of this section, no person
9 may employ a person under 18 years of age to sell, prepare, serve,
10 or otherwise handle liquor, or to assist in doing so.

11 (b) A holder of a wine only package store permit may employ a
12 person 16 years old or older to work in any capacity.

13 (c) A holder of a permit or license providing for the
14 on-premises consumption of alcoholic beverages may employ a person
15 under 18 years of age to work in any capacity other than the actual
16 selling, preparing, or serving of alcoholic beverages.

17 (d) The fact that a person is 18, 19, or 20 years of age is
18 not a ground for refusal of an original or renewal permit or license
19 issued under Chapter 35, 36, or 73, provided that such a person to
20 whom a permit or license is issued may carry out the activities
21 authorized by those chapters only while in the actual course and
22 scope of the person's employment.

23 (e) The holder of a permit or license providing for the
24 on-premises consumption of alcoholic beverages who also holds a

1 food and beverage certificate may employ a person under 18 years of
2 age to work as a cashier for transactions involving the sale of
3 alcoholic beverages if the alcoholic beverages are served by a
4 person 18 years of age or older.

5 (f) The holder of a permit or license providing for the
6 on-premises consumption of alcoholic beverages if less than 50
7 percent of the gross receipts for the premises is from the sale or
8 service of alcoholic beverages may employ a person under 18 years of
9 age to work as a cashier for transactions involving the sale of
10 alcoholic beverages if the alcoholic beverages are served by a
11 person 18 years of age or older.

12 SECTION 2. This Act takes effect immediately if it receives
13 a vote of two-thirds of all the members elected to each house, as
14 provided by Section 39, Article III, Texas Constitution. If this
15 Act does not receive the vote necessary for immediate effect, this
16 Act takes effect September 1, 2015.