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HOUSE OF REPRESENTATIVES  
BY *William W. Fisher*

FLOOR AMENDMENT NO. \_\_\_\_\_

1 Amend C.S.H.B. No. 1545 (house committee printing) as  
2 follows:

3 (1) On page 92, strike lines 20 through 24 and substitute  
4 the following:  
5 may temporarily sell wine and malt beverages under Subsection (a)  
6 for a length of time that does not exceed the length of time  
7 established by a rule adopted by the commission under Subsection  
8 (c)(4).

9 (2) On page 100, line 22, between "beverages" and "at:",  
10 insert "for a length of time that does not exceed the length of time  
11 established by a rule adopted by the commission under Subsection  
12 (c)(4)".

13 (3) On page 105, line 10, between "held" and the period,  
14 insert "for a length of time that does not exceed the duration for  
15 the permit established by a rule adopted by the commission under  
16 Section 30.08".

17 (4) Add the following appropriately numbered SECTIONS to  
18 the bill and renumber subsequent SECTIONS of the bill accordingly:

19 SECTION \_\_\_\_\_. Effective September 1, 2019, Section 27.02,  
20 Alcoholic Beverage Code, is amended to read as follows:

21 Sec. 27.02. FEE. The state fee for a temporary wine and  
22 beer retailer's permit is \$10 for each day the permit is valid  
23 ~~[\$30]~~. No refund shall be allowed for the surrender or nonuse of  
24 the permit.

25 SECTION \_\_\_\_\_. Effective September 1, 2019, Section 27.03,  
26 Alcoholic Beverage Code, is amended to read as follows:

27 Sec. 27.03. DURATION OF PERMIT. (a) A ~~[Except as provided~~  
28 ~~by Subsection (b), a]~~ temporary wine and beer retailer's permit may  
29 be issued for the number of days requested in the application, not

1 to exceed the length of the event at which the permit holder will be  
2 selling wine, beer, and malt liquor [~~a period of not more than four~~  
3 ~~days~~].

4 (b) The commission by rule shall establish the maximum  
5 length of time a [A] temporary wine and beer retailer's permit  
6 holder [~~issued under Section 27.07~~] may sell wine, beer, and malt  
7 liquor at the same location under a permit issued under this  
8 subchapter [~~be issued for a period of five days. On notice to the~~  
9 ~~commission, the commission may extend the permit for one additional~~  
10 ~~day to accommodate the postponement of scheduled racing events due~~  
11 ~~to an act of nature~~].

12 SECTION \_\_\_\_ . Effective September 1, 2019, Subchapter B,  
13 Chapter 27, Alcoholic Beverage Code, is amended to read as follows:

14 SUBCHAPTER B. SPECIAL EVENT [~~THREE-DAY~~] WINE AND BEER PERMIT

15 Sec. 27.11. AUTHORIZED ACTIVITIES. The holder of a special  
16 event [~~three-day~~] wine and beer permit may sell for consumption on  
17 the premises for which the permit is issued, but not for resale,  
18 wine, beer, and malt liquors containing alcohol in excess of  
19 one-half of one percent by volume but not more than 17 percent by  
20 volume.

21 Sec. 27.12. FEE. The state fee for a special event  
22 [~~three-day~~] wine and beer permit is \$10 for each day the permit is  
23 valid [~~\$30~~].

24 Sec. 27.125. DURATION OF PERMIT. (a) A special event wine  
25 and beer permit may be issued for the number of days requested in  
26 the application, not to exceed the length of the event at which the  
27 permit holder will be selling wine, beer, and malt liquor.

28 (b) The commission by rule shall establish the maximum  
29 length of time a special event wine and beer permit holder may sell  
30 wine, beer, and malt liquor at the same location under a permit  
31 issued under this subchapter.

1           Sec. 27.13. ISSUANCE OF PERMIT. (a) The commission may  
2 issue a special event [~~three-day~~] wine and beer permit directly to a  
3 nonprofit charitable, civic, or religious organization for the  
4 temporary serving of wine and beer at a picnic, celebration, or  
5 similar event sponsored by the organization.

6           (b) The commission by rule may limit the number of special  
7 event [~~three-day~~] wine and beer permits issued in each calendar  
8 year to a single nonprofit charitable, civic, or religious  
9 organization for events sponsored by that organization.

10          (c) If a special event [~~three-day~~] wine and beer permit is  
11 issued for a premises in an area in which the sale of beer for  
12 on-premise consumption has been authorized by a local option  
13 election, but the sale of wine for on-premise consumption has not  
14 been authorized, then the permittee is only authorized to sell  
15 beer.

16          Sec. 27.14. APPLICATION OF WINE AND BEER RETAILER'S PERMIT  
17 PROVISIONS. A provision of this code that applies to a wine and  
18 beer retailer permit applies to a special event [~~three-day~~] wine  
19 and beer permit unless the provision conflicts with a provision of  
20 this subchapter.

21          Sec. 27.15. RULES. The commission shall [~~may~~] adopt rules  
22 as necessary to implement and administer this subchapter.

23          SECTION \_\_\_\_\_. Effective September 1, 2019, Chapter 30,  
24 Alcoholic Beverage Code, is amended by adding Section 30.025 to  
25 read as follows:

26          Sec. 30.025. DURATION OF PERMIT. (a) A daily temporary  
27 mixed beverage permit may be issued for the number of days requested  
28 in the application, not to exceed the length of the event at which  
29 the permit holder will be selling authorized alcoholic beverages.

30          (b) The commission by rule shall establish the maximum  
31 length of time a daily temporary mixed beverage permit holder may

1 sell authorized alcoholic beverages at the same location under a  
2 permit issued under this chapter.

3 SECTION \_\_\_\_\_. Effective September 1, 2019, Section 30.03(a),  
4 Alcoholic Beverage Code, is amended to read as follows:

5 (a) ~~[The commission may, in its discretion, issue on a~~  
6 ~~temporary basis a daily temporary mixed beverage permit.]~~ A daily  
7 temporary mixed beverage permit may be issued only to a holder of a  
8 mixed beverage permit for the temporary sale of authorized  
9 alcoholic beverages at picnics, celebrations, or similar events, or  
10 to a political party or political association supporting a  
11 candidate for public office or a proposed amendment to the Texas  
12 Constitution or other ballot measure, to an organization formed for  
13 a specific charitable or civic purpose, to a fraternal organization  
14 in existence for over five years with a regular membership, or to a  
15 religious organization. The commission shall not issue more than  
16 10 temporary mixed beverage permits in each calendar year to a  
17 person who does not also hold a mixed beverage permit.

18 SECTION \_\_\_\_\_. Effective September 1, 2019, Section 72.02,  
19 Alcoholic Beverage Code, is amended to read as follows:

20 Sec. 72.02. FEE. The state fee for a temporary license is  
21 \$7.50 for each day the license is valid ~~[\$30]~~. No refund shall be  
22 allowed for the surrender or nonuse of a temporary license.

23 SECTION \_\_\_\_\_. Effective September 1, 2019, Section 72.03,  
24 Alcoholic Beverage Code, is amended to read as follows:

25 Sec. 72.03. DURATION OF LICENSE. A temporary license may be  
26 issued for the number of days requested in the application, not to  
27 exceed the length of the event at which the license holder will be  
28 selling wine, beer, and malt liquor ~~[a period of not more than four~~  
29 ~~days]~~.