

AN ACT

relating to the hours for selling alcoholic beverages in certain establishments.

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

SECTION 1. Section 24.07, Alcoholic Beverage Code, as effective September 1, 2021, is amended to read as follows:

Sec. 24.07. HOURS OF SALE. A holder of a wine only package store permit may remain open and sell malt beverages, wine, and vinous liquors, for off-premises consumption only, on any day and during the same hours as those prescribed for the sale of malt beverages under Section 105.05 [~~that the holder of a wine and malt beverage retailer's permit may sell malt beverages and wine~~], except that the permittee may not sell wine or vinous liquor containing more than 17 percent alcohol by volume on a Sunday or after 10 p.m. on any day.

SECTION 2. Section 105.01(a), Alcoholic Beverage Code, is amended to read as follows:

(a) Except as provided in Sections 105.02, 105.03, 105.04, [~~and~~] 105.08, and 105.091, no person may sell, offer for sale, or deliver any liquor:

- (1) on New Year's Day, Thanksgiving Day, or Christmas Day;
- (2) on Sunday; or
- (3) before 10 a.m. or after 9 p.m. on any other day.

1 SECTION 3. Section 105.04, Alcoholic Beverage Code, as
2 effective September 1, 2021, is amended to read as follows:

3 Sec. 105.04. HOURS OF SALE: WINE AND MALT BEVERAGE
4 RETAILER. The hours of sale and delivery for alcoholic beverages
5 sold under a wine and malt beverage retailer's permit or a wine and
6 malt beverage retailer's off-premise permit are the same as those
7 prescribed for the sale of malt beverages under Section 105.05[~~7~~
8 ~~except that no sale shall be allowed between 2 a.m. and noon on~~
9 ~~Sunday~~].

10 SECTION 4. Section 105.05(b), Alcoholic Beverage Code, as
11 effective September 1, 2021, is amended to read as follows:

12 (b) A person may sell, offer for sale, or deliver malt
13 beverages between 7 a.m. and midnight on any day except Sunday. On
14 Sunday a person may sell malt beverages between midnight and 1:00
15 a.m. and between noon and midnight, except that:

16 (1) permittees or licensees authorized to sell for
17 on-premise consumption may sell malt beverages between 10:00 a.m.
18 and noon if the malt beverages are served to a customer during the
19 service of food to the customer; and

20 (2) holders of a retail dealer's on-premise license or
21 a retail dealer's off-premise license may also sell malt beverages
22 for off-premise consumption between 10:00 a.m. and noon.

23 SECTION 5. Section 105.06, Alcoholic Beverage Code, is
24 amended by amending Subsections (b) and (c) and adding Subsection
25 (f) to read as follows:

26 (b) Except as provided by Subsection (f), in [In] a standard
27 hours area, a person commits an offense if the person [he] consumes

1 or possesses with intent to consume an alcoholic beverage in a
2 public place at any time on Sunday between 1:15 a.m. and 12 noon or
3 on any other day between 12:15 a.m. and 7 a.m.

4 (c) Except as provided by Subsection (f), in [In] an
5 extended hours area, a person commits an offense if the person [he]
6 consumes or possesses with intent to consume an alcoholic beverage
7 in a public place at any time on Sunday between 2:15 a.m. and 12 noon
8 and on any other day between 2:15 a.m. and 7 a.m.

9 (f) A person who is a registered guest of a hotel may consume
10 or possess alcoholic beverages in the hotel bar, as defined by
11 Section 105.091, at any time.

12 SECTION 6. Chapter 105, Alcoholic Beverage Code, is amended
13 by adding Section 105.091 to read as follows:

14 Sec. 105.091. HOURS OF SALE; HOTEL BAR. (a) In this
15 section, "hotel bar" means an establishment that is located in a
16 hotel and holds a permit or license providing for the on-premises
17 consumption of alcoholic beverages.

18 (b) Notwithstanding any other law, a hotel bar may sell or
19 offer for sale alcoholic beverages at any time to a registered guest
20 of the hotel.

21 SECTION 7. This Act takes effect September 1, 2021.

President of the Senate

Speaker of the House

I certify that H.B. No. 1518 was passed by the House on May 5, 2021, by the following vote: Yeas 126, Nays 19, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 1518 on May 28, 2021, by the following vote: Yeas 115, Nays 24, 2 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1518 was passed by the Senate, with amendments, on May 22, 2021, by the following vote: Yeas 26, Nays 4.

Secretary of the Senate

APPROVED: _____

Date

Governor