

By: Metcalf

H.B. No. 1755

A BILL TO BE ENTITLED

AN ACT

relating to the removal of an alcoholic beverage by an ultimate consumer from the premises of a mixed beverage permit holder.

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

SECTION 1. Section 28.10(b), Alcoholic Beverage Code, as effective September 1, 2021, is amended to read as follows:

(b) A mixed beverage permittee may not permit any person to take any alcoholic beverage purchased on the licensed premises from the premises where sold, except that:

(1) a person who orders wine with food ~~[and has a portion of the open container remaining]~~ may remove the ~~[open]~~ container of wine from the premises whether the container is opened or unopened; and

(2) a mixed beverage permittee who also holds a brewpub license may sell or offer without charge on the premises of the brewpub, to an ultimate consumer for consumption on or off the premises, malt beverages produced by the permittee, in or from a lawful container in an amount that does not exceed one-half barrel, provided that the aggregate amount of malt beverages removed from the premises under this subdivision does not exceed 1,000 barrels annually.

SECTION 2. This Act takes effect September 1, 2021.