

By: Buckley

H.B. No. 4155

A BILL TO BE ENTITLED

1 AN ACT
2 relating to prohibiting certain limitations on the operation of
3 certain alcoholic beverage businesses and organizations that
4 benefit veterans during a declared state of disaster.

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

6 SECTION 1. Section 418.012, Government Code, is amended to
7 read as follows:

8 Sec. 418.012. EXECUTIVE ORDERS. (a) Under this chapter,
9 the governor may issue executive orders, proclamations, and
10 regulations and amend or rescind them. Executive orders,
11 proclamations, and regulations have the force and effect of law.

12 (b) An executive order, proclamation, or regulation issued
13 by the governor under this chapter that restricts the operation of
14 or the hours of operation for a business that sells alcoholic
15 beverages may not include:

16 (1) a business that holds a permit or license:

17 (A) issued by the Texas Alcoholic Beverage
18 Commission;

19 (B) for a business in the manufacturing tier of
20 the alcoholic beverage industry; and

21 (C) that authorizes the business to sell
22 alcoholic beverages for on-premises consumption; or

23 (2) an organization exempt from federal taxation under
24 Section 501(a), Internal Revenue Code of 1986, as an organization

1 described by Section 501(c)(19) of that code, that benefits
2 veterans of the United States armed forces.

3 SECTION 2. Section 418.012, Government Code, as amended by
4 this Act, applies only to a declaration of a state of disaster
5 issued or renewed on or after the effective date of this Act. A
6 declaration issued before the effective date of this Act is
7 governed by the law in effect immediately before the effective date
8 of this Act, and that law is continued in effect for that purpose.

9 SECTION 3. This Act takes effect immediately if it receives
10 a vote of two-thirds of all the members elected to each house, as
11 provided by Section 39, Article III, Texas Constitution. If this
12 Act does not receive the vote necessary for immediate effect, this
13 Act takes effect September 1, 2021.