

# SENATE AMENDMENTS

## 2<sup>nd</sup> Printing

By: Dutton

H.B. No. 1518

A BILL TO BE ENTITLED

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 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.

SECTION 2. Section 105.06, Alcoholic Beverage Code, is amended by amending Subsections (b) and (c) and adding Subsection (f) to read as follows:

(b) Except as provided by Subsection (f), in ~~in~~ a standard hours area, a person commits an offense if the person ~~he~~ consumes or possesses with intent to consume an alcoholic beverage in a public place at any time on Sunday between 1:15 a.m. and 12 noon or on any other day between 12:15 a.m. and 7 a.m.

(c) Except as provided by Subsection (f), in ~~in~~ an extended hours area, a person commits an offense if the person ~~he~~ consumes or possesses with intent to consume an alcoholic beverage

1 in a public place at any time on Sunday between 2:15 a.m. and 12 noon  
2 and on any other day between 2:15 a.m. and 7 a.m.

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

6 SECTION 3. Chapter 105, Alcoholic Beverage Code, is amended  
7 by adding Section 105.091 to read as follows:

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

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

15 SECTION 4. This Act takes effect September 1, 2021.

ADOPTED

VU  
MAY 22 2021

*Lately Saw*  
Secretary of the Senate

*[Signature]*

FLOOR AMENDMENT NO. 1

BY: \_\_\_\_\_

1 Amend H.B. No. 1518 by adding the following appropriately  
2 numbered SECTIONS to the bill and renumbering subsequent SECTIONS  
3 of the bill accordingly:

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

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

15 SECTION \_\_\_\_\_. Section 105.04, Alcoholic Beverage Code, as  
16 effective September 1, 2021, is amended to read as follows:

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

24 SECTION \_\_\_\_\_. Section 105.05(b), Alcoholic Beverage Code,  
25 as effective September 1, 2021, is amended to read as follows:

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

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

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

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 24, 2021**

**TO:** Honorable Dade Phelan, Speaker of the House, House of Representatives

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1518** by Dutton (Relating to the hours for selling alcoholic beverages in certain establishments.),  
**As Passed 2nd House**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the costs associated with the bill's provisions relating to the hours for selling alcoholic beverages in certain establishments could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 458 Alcoholic Beverage Commission

**LBB Staff:** JMc, LBO, SZ, KFB, DKN

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**May 17, 2021**

**TO:** Honorable Kelly Hancock, Chair, Senate Committee on Business & Commerce

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1518** by Dutton (Relating to the hours for selling alcoholic beverages in certain establishments.),  
**As Engrossed**

**No significant fiscal implication to the State is anticipated.**

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**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 458 Alcoholic Beverage Commission

**LBB Staff:** JMc, SZ, KFB, DKN

**LEGISLATIVE BUDGET BOARD**

Austin, Texas

**FISCAL NOTE, 87TH LEGISLATIVE REGULAR SESSION**

**March 16, 2021**

**TO:** Honorable Senfronia Thompson, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** Jerry McGinty, Director, Legislative Budget Board

**IN RE: HB1518** by Dutton (Relating to the hours for selling alcoholic beverages in certain establishments.),  
**As Introduced**

**No significant fiscal implication to the State is anticipated.**

It is assumed that the costs associated with the bill's provisions relating to the hours for selling alcoholic beverages in certain establishments could be absorbed using existing resources.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 458 Alcoholic Beverage Commission

**LBB Staff:** JMc, SZ, KFB, DKn