

BILL ANALYSIS

H.B. 3529
By: McQueeney
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The bill author has informed the committee of the history of the temporary wine and beer retailer's permits that were authorized by the 79th Legislature for the Texas Motor Speedway (TMS) in Denton County. The TMS, which hosts major NASCAR and racing events as well as other significant community events, holds a mixed beverage permit to sell alcoholic beverages in limited areas of the facility. Before 2005, fans could carry in and consume beer, wine, and other alcoholic beverages in the non-permitted portions of the facility, but the facility could not sell beer and wine in general seating and common areas. The Texas Alcoholic Beverage Commission has since issued the temporary beer and wine permits each year for racing and other events to the TMS. The bill author has further informed the committee that this has allowed the sale of beer and wine in general seating and common areas while also allowing fans to bring in alcoholic beverages in coolers, an approach that has worked seamlessly for 20 years and has been enthusiastically received by racing fans. H.B. 3529 seeks to bring the TMS up to date with all other major event venues in Texas by allowing the TMS to sell distilled spirits in the same limited areas of the facility where they currently sell beer and wine and removing the outdated provision limiting sales at no more than 50 percent of the food and beverage concession stands at the track.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 3529 amends the Alcoholic Beverage Code to revise statutory provisions relating to the temporary sale of authorized beverages at certain racing facilities as follows:

- include distilled spirits among the beverages authorized for temporary sale by a mixed beverage permit holder at certain racing facilities and make the inclusion applicable to all statutory provisions relating to such temporary sales;
- expand the authorization for an owner of a mixed beverage permit, during a motor vehicle racing event sponsored by a professional motor racing association, to temporarily sell authorized beverages in an area of the racing facility with a seating capacity of more than 40,000 that is open to the public and not otherwise covered by a license or permit to include an event, other than a sponsored motor vehicle racing event, held at the racing facility;

- remove the condition that beverages authorized for temporary sale by a mixed beverage permit holder contain alcohol in excess of one-half of one percent by volume but not more than 17 percent by volume; and
- remove provisions prohibiting a mixed beverage permit holder who temporarily sells authorized beverages at certain racing facilities from doing the following:
 - selling at the facility more than four times in a calendar year; and
 - selling alcoholic beverages at more than 50 percent of the food and beverage concession stands that are open for business at any one time.

EFFECTIVE DATE

September 1, 2025.