

By: McQueeney, Harless

H.B. No. 3529

A BILL TO BE ENTITLED

AN ACT

relating to the temporary sale of alcoholic beverages at certain racing facilities.

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

SECTION 1. Sections 28.20(a), (b), (c), (d), (e), and (f), Alcoholic Beverage Code, as added by Chapter 16 (S.B. 926), Acts of the 88th Legislature, Regular Session, 2023, are amended to read as follows:

(a) The holder of a mixed beverage permit may temporarily sell distilled spirits, wine, and malt beverages in an area of a 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 during a motor vehicle racing event sponsored by a professional motor racing association or another event held at the racing facility.

(b) The holder of a mixed beverage permit may, under this section, sell distilled spirits, wine, and malt beverages ~~[containing alcohol in excess of one-half of one percent by volume but not more than 17 percent by volume]~~ for consumption on or off the premises where sold, but not for resale.

(c) The holder of a mixed beverage permit may temporarily sell distilled spirits, wine, and malt beverages for not more than five consecutive days at an event under this section or six days if necessary to accommodate the postponement of scheduled ~~[racing]~~ events due to an act of nature.

(d) The holder of a mixed beverage permit who temporarily sells distilled spirits, wine, and malt beverages under this section may not:

(1) ~~[sell under this section at the facility more than four times in a calendar year,~~

~~(2)]~~ sell alcoholic beverages in factory-sealed containers;

(2) ~~(3)]~~ sell more than two drinks to a single consumer at one time;

~~(4) sell alcoholic beverages at more than 50 percent of the food and beverage concession stands that are open for business at any one time,~~] or

(3) ~~(5)]~~ sell alcoholic beverages after:

(A) 75 percent of the feature race is complete on the day that race is held; or

(B) one hour before the scheduled completion of the last spectator event on a day other than the feature race day.

(e) A holder of a mixed beverage permit who sells distilled spirits, wine, or malt beverages under that permit in a county other than the county in which the premises covered by the permit is located shall:

(1) purchase the beverages from a distributor or wholesaler authorized under this code to sell the beverages in the county in which the permit holder sells the beverages under this section; and

(2) report to the commission, in the manner prescribed by the commission by rule, the amount of beverages purchased and

1 sold under this section, by type.

2 (f) The holder of a mixed beverage permit who temporarily
3 sells distilled spirits, wine, and malt beverages under this
4 section, or any officer, agent, or employee of the permit holder,
5 may allow a person to:

6 (1) possess and consume alcoholic beverages brought
7 onto the premises by the person; and

8 (2) remove from the premises any alcoholic beverages
9 brought onto the premises by the person.

10 SECTION 2. This Act takes effect September 1, 2025.