

# SENATE AMENDMENTS

2<sup>nd</sup> Printing

By: Kuempel

H.B. No. 824

A BILL TO BE ENTITLED

AN ACT

relating to the sale of alcoholic beverages to customers of a package store during certain hours.

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

SECTION 1. Chapter 22, Alcoholic Beverage Code, is amended by adding Section 22.17 to read as follows:

Sec. 22.17. SALE TO CUSTOMER IN STORE AT CLOSING.

Notwithstanding any other provision of this code, if a customer has entered a package store during hours in which the package store may sell alcohol and is still in the store at the time the hours of legal sale end, the permittee may allow the customer to remain in the store for a reasonable amount of time to finish shopping, and the permittee may sell an alcoholic beverage to that customer even though the sale occurs after the designated end of the hours of legal sale.

SECTION 2. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as provided by Section 39, Article III, Texas Constitution. If this Act does not receive the vote necessary for immediate effect, this Act takes effect September 1, 2015.

ADOPTED

MAY 27 2015

*Leta Spaw*  
Secretary of the Senate

FLOOR AMENDMENT NO. 1

BY:

*Larry Taylor*

1 Amend H.B. No. 824 (senate committee printing) by adding the  
2 following appropriately numbered SECTION to the bill and  
3 renumbering subsequent SECTIONS of the bill as appropriate:

4 SECTION \_\_\_\_\_. Section 14.05(c), Alcoholic Beverage Code, as  
5 added by Chapter 106 (S.B. 905), Acts of the 83rd Legislature,  
6 Regular Session, 2013, is amended to read as follows:

7 (c) The holder of a distiller's and rectifier's permit may  
8 not under Subsection (b) sell more than two 750 milliliter bottles  
9 or the equivalent of each distilled spirits product the permit  
10 holder produces [or the equivalent] to the same consumer within a  
11 30-day period. Each product sold must have a certificate of label  
12 approval issued by the United States Alcohol and Tobacco Tax and  
13 Trade Bureau. The total sales made by the holder of a distiller's  
14 and rectifier's permit under Subsection (b) to the same consumer  
15 may not exceed six 750 milliliter bottles or the equivalent within a  
16 30-day period.

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**May 28, 2015**

**TO:** Honorable Joe Straus, Speaker of the House, House of Representatives

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB824** by Kuempel (Relating to the sale of alcoholic beverages to customers of a package store during certain hours. ), **As Passed 2nd House**

Although the bill's provisions could result in increased production and additional revenue collections, the amounts in the aggregate cannot be estimated. Therefore, the bill could have an indeterminate revenue gain to the State.

The bill would amend the Alcoholic Beverage Code relating to the sale of alcoholic beverages to customers of a package store after the designated end of the hours of legal sale. The Texas Alcoholic Beverage Commission (TABC) has determined that this provision of the bill would not result in a significant fiscal impact to the State.

The bill would amend the Alcoholic Beverage Code relating to sale limitations of certain distilled spirit products as specified in the bill. TABC indicates the bill would have no fiscal cost impact on TABC. The Comptroller of Public Accounts reports that although the bill's provisions could result in increased production and additional revenue collections, the amounts in the aggregate cannot be estimated.

The bill would take effect immediately, or, if the bill does not receive the necessary vote, September 1, 2015.

**Local Government Impact**

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

**Source Agencies:** 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

**LBB Staff:** UP, CL, AI, JHa, JN

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**April 30, 2015**

**TO:** Honorable Kevin Eltife, Chair, Senate Committee on Business & Commerce

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB824** by Kuempel (Relating to the sale of alcoholic beverages to customers of a package store during certain hours.), **As Engrossed**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Alcoholic Beverage Code relating to the sale of alcoholic beverages to customers of a package store after the designated end of the hours of legal sale. The Texas Alcoholic Beverage Commission has determined that the bill would not result in a significant fiscal impact to the State.

The bill would take effect immediately, or, if the bill does not receive the necessary vote, September 1, 2015.

**Local Government Impact**

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

**Source Agencies:** 458 Alcoholic Beverage Commission

**LBB Staff:** UP, CL, AI, JHa, JN

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION**

**March 18, 2015**

**TO:** Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE:** **HB824** by Kuempel (Relating to the sale of alcoholic beverages to customers of a package store during certain hours.), **As Introduced**

<p><b>No significant fiscal implication to the State is anticipated.</b></p>
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The bill would amend the Alcoholic Beverage Code relating to the sale of alcoholic beverages to customers of a package store after the designated end of the hours of legal sale. The Texas Alcoholic Beverage Commission has determined that the bill would not result in a significant fiscal impact to the State.

The bill would take effect immediately, or, if the bill does not receive the necessary vote, September 1, 2015.

**Local Government Impact**

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

**Source Agencies:** 458 Alcoholic Beverage Commission

**LBB Staff:** UP, CL, AI, JHa, JN