

By: Romero, Jr.

H.B. No. 908

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the sale of certain containers of draft beer, malt
3 liquor, and ale by certain alcoholic beverage retailers for
4 off-premises consumption.

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

6 SECTION 1. Section 25.01, Alcoholic Beverage Code, is
7 amended to read as follows:

8 Sec. 25.01. AUTHORIZED ACTIVITIES. (a) The holder of a wine
9 and beer retailer's permit may sell:

10 (1) for consumption on or off the premises where sold,
11 but not for resale, wine, beer, and malt liquors containing alcohol
12 in excess of one-half of one percent by volume and not more than 17
13 percent by volume; and

14 (2) for consumption on the premises traditional port
15 or sherry containing alcohol in excess of one-half of one percent by
16 volume and not more than 24 percent by volume.

17 (b) The holder of a wine and beer retailer's permit may sell
18 draft beer, malt liquor, or ale for off-premises consumption if the
19 permittee places the beer, malt liquor, or ale in a container that
20 is made of glass, ceramic, metal, or other material approved by the
21 commission that is securely sealed.

22 (c) The container described by Subsection (b) may be a
23 reusable container or a single-use container that may not be
24 resealed once opened.

1 SECTION 2. Section 69.01, Alcoholic Beverage Code, is
2 amended to read as follows:

3 Sec. 69.01. AUTHORIZED ACTIVITIES. (a) The holder of a
4 retail dealer's on-premise license may sell beer in or from any
5 lawful container to the ultimate consumer for consumption on or off
6 the premises where sold. The licensee may not sell beer for resale.

7 (b) The holder of a retail dealer's on-premise license may
8 sell draft beer for off-premises consumption if the licensee places
9 the beer in a container that is made of glass, ceramic, metal, or
10 other material approved by the commission that is securely sealed.

11 (c) The container described by Subsection (b) may be a
12 reusable container or a single-use container that may not be
13 resealed once opened.

14 SECTION 3. This Act takes effect immediately if it receives
15 a vote of two-thirds of all the members elected to each house, as
16 provided by Section 39, Article III, Texas Constitution. If this
17 Act does not receive the vote necessary for immediate effect, this
18 Act takes effect September 1, 2017.