

## **BILL ANALYSIS**

Senate Research Center  
77R7109 AJA-D

S.B. 1684  
By: Jackson  
Business & Commerce  
4/9/2001  
As Filed

### **DIGEST AND PURPOSE**

Currently, owners of brewpubs that do not have mixed beverage permits are allowed to sell their product in approved containers to consumers to take out of the establishment. As proposed, S.B. 1684 provides that a brewpub license holder who has a mixed beverage permit is authorized to sell or offer without charge beer, malt liquor, or ale produced at the brewpub for consumption off premise.

### **RULEMAKING AUTHORITY**

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

### **SECTION BY SECTION ANALYSIS**

SECTION 1. Amends Section 28.10, Alcoholic Beverage Code, as follows:

Sec. 28.10. New heading: CONSUMPTION RESTRICTED TO PREMISES;  
EXCEPTIONS. Prohibits a mixed beverage permittee, except as provided, rather than permitted, by this section or Section 28.01(b) from selling an alcoholic beverage to another mixed beverage permittee or to any other person except for consumption on the seller's licensed premises. Deletes text regarding exceptions of Section 28.01(b). Prohibits a mixed beverage permittee from permitting any person to take any alcoholic beverage purchased on the licensed premises from the premises where sold, except that a mixed beverage permittee who also holds a brewpub license is authorized to sell or offer without charge on the premises of the brewpub, to ultimate consumers for consumption on or off the premises, malt liquor, ale, or beer produced by the permittee, in or from a lawful container, provided that the aggregate amount of malt liquor, ale, and beer removed from the premises under this subdivision does not exceed 1,000 barrels annually.

SECTION 2. Effective date: September 1, 2001.