

BILL ANALYSIS

Senate Research Center
87R2851 JAM-D

H.B. 1755
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Business & Commerce
4/16/2021
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a person may take a re-corked bottle of wine to-go that they order with food from a restaurant that holds a mixed beverage permit. This allows a patron to order wine by the bottle during dinner but also have the ability to take the remaining bottle of wine home if they do not finish its contents. H.B. 1755 will allow a person to take a bottle of wine to-go from a restaurant that holds a mixed beverage permit which is opened or unopened.

H.B. 1755 amends current law relating to the removal of an alcoholic beverage by an ultimate consumer from the premises of a mixed beverage permit holder.

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(b), Alcoholic Beverage Code, as effective September 1, 2021, as follows:

(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:

(1) a person who orders wine with food is authorized to remove the container of wine from the premises whether the container is opened or unopened, rather than a person who orders wine with food and has a portion of the open container remaining is authorized to remove the open container of wine from the premises; and

(2) makes no change to this subdivision.

SECTION 2. Effective date: September 1, 2021.