

BILL ANALYSIS

Senate Research Center
81R2665 MCK-D

S.B. 1044
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Business & Commerce
4/10/2009
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Alcoholic Beverage Code authorizes a holder of a wholesaler permit or local distributor's permit to sell, offer for sale, or deliver liquor to a retailer between 5 a.m. and 9 p.m. on any day except Sunday and Christmas Day. Also, the Alcoholic Beverage Code authorizes a holder of a general, local, or branch distributor's license to sell, offer for sale, or deliver beer beginning at 5 a.m., except for counties of 1.8 million or more or in an adjacent county thereto, which may sell, or offer for sale, or deliver beer beginning at 4 a.m. on any day except Sunday.

As proposed, S.B. 1044 authorizes a holder of a wholesaler permit or local distributor's permit to sell, offer for sale, or deliver liquor to a retailer anytime except on Sunday or Christmas Day. The bill also authorizes the holder of a general, local, or branch distributor's license to sell, offer for sale, or deliver beer 24 hours a day Monday through Saturday, and between midnight and 1 a.m. and between noon and midnight on Sunday.

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 105.02(a), Alcoholic Beverage Code, to authorize a wholesaler or a local distributor's permittee to sell, offer for sale, or deliver liquor to a retailer anytime, rather than between 5 a.m. and 9 p.m. on any day, except Sunday and Christmas Day.

SECTION 2. Amends Section 105.051, Alcoholic Beverage Code, as follows:

Sec. 105.051. SALE OF BEER BY DISTRIBUTOR'S LICENSEE. Authorizes the holder of a general, local, or branch distributor's license to sell, offer for sale, or deliver beer 24 hours a day Monday through Saturday and between midnight and 1 a.m. and between noon and midnight on Sunday. Deletes existing text authorizing the holder of a general, local, or branch distributor's license to sell, offer for sale, or deliver beer beginning at 5 a.m. on any day except Sunday, in addition to the hours specified for the sale of beer in Section 105.05(b) of this code.

SECTION 3. Repealer: Section 105.052 (Sale of Beer by Distributor's Licensee in Certain Metropolitan Areas), Alcoholic Beverage Code.

SECTION 4. Effective date: upon passage or September 1, 2009.