

AN ACT

relating to the hours for the wholesale delivery or sale of alcoholic beverages.

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

SECTION 1. Section 105.02, Alcoholic Beverage Code, is amended to read as follows:

Sec. 105.02. HOURS OF SALE: WHOLESALERS AND LOCAL DISTRIBUTORS TO RETAILERS. (a) A holder of a wholesaler's permit ~~[Except as provided by Subsection (b) of this section, a wholesaler or a local distributor's permittee]~~ may sell, offer for sale, or deliver liquor to a retailer anytime ~~[between 5 a. m. and 9 p. m. on any day]~~ except Sunday and Christmas Day.

(b) A local distributor's permittee may ~~[not]~~ sell, offer for sale, or deliver ~~[any]~~ liquor to a retailer between 5 a.m. and 9 p.m. on any day except:

(1) Sunday;

(2) Christmas Day; or

(3) a day on which a package store permittee is prohibited from selling liquor.

SECTION 2. Section 105.051, Alcoholic Beverage Code, is amended to read as follows:

Sec. 105.051. SALE OF BEER BY DISTRIBUTOR'S LICENSEE. The ~~[In addition to the hours specified for the sale of beer in Section 105.05(b) of this code, the]~~ holder of a general, local, or branch

1 distributor's license may sell, offer for sale, or deliver beer 24
2 hours a day Monday through Saturday and between midnight and 1 a.m.
3 and between noon and midnight on [~~beginning at 5 a. m. on any day~~
4 ~~except~~] Sunday.

5 SECTION 3. Section 105.052, Alcoholic Beverage Code, is
6 repealed.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.

H.B. No. 2457

Rand Newkirk

President of the Senate

John Strawn

Speaker of the House

I certify that H.B. No. 2457 was passed by the House on April 9, 2009, by the following vote: Yeas 148, Nays 0, 1 present, not voting.

Robert Hiney

Chief Clerk of the House

I certify that H.B. No. 2457 was passed by the Senate on April 23, 2009, by the following vote: Yeas 30, Nays 0.

Letsy Saw

Secretary of the Senate

APPROVED: 5 MAY '09

Date

RICK PERRY

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
3:30 p.m. O'CLOCK

DOUG ROBERTS
Secretary of State