

1 AN ACT

2 relating to private club alcoholic beverage permits issued to a
3 fraternal or veterans organization.

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

5 SECTION 1. Section 32.11, Alcoholic Beverage Code, is
6 amended by amending Subsection (b) and adding Subsection (e) to
7 read as follows:

8 (b) The permit fee imposed by Section 32.02 [~~of this code~~]
9 and the provisions of Sections 32.03 and 32.10 [~~of this code~~]
10 requiring regular food service and prohibiting guests from paying
11 in cash do not apply to a private club established by a fraternal or
12 veterans organization. The private club is [~~These organizations~~
13 ~~are~~] also exempt from Sections 32.05 and 32.06 [~~of this code~~], and
14 the members of the club [~~organization~~] may use any club funds owned
15 by them jointly, including revenue from the service of alcoholic
16 beverages, to replenish their joint stock of alcoholic beverages.

17 (e) A fraternal or veterans organization that holds a
18 permit under this chapter and the private club established under
19 that permit are considered separate entities for the purposes of
20 determining compliance with and enforcing this code. The fraternal
21 or veterans organization shall establish a membership committee for
22 the permitted entity for the purposes of Sections 32.03(c) and (d).
23 Membership in the private club is governed by this code. Membership
24 in the fraternal or veterans organization is not subject to the

1 requirements of this code.

2 SECTION 2. This Act takes effect immediately if it receives
3 a vote of two-thirds of all the members elected to each house, as
4 provided by Section 39, Article III, Texas Constitution. If this
5 Act does not receive the vote necessary for immediate effect, this
6 Act takes effect September 1, 2005.

David Newkirk

President of the Senate

Jim Coakley

Speaker of the House

I certify that H.B. No. 2064 was passed by the House on May 13, 2005, by the following vote: Yeas 142, Nays 0, 2 present, not voting.

Robert Haney
Chief Clerk of the House

I certify that H.B. No. 2064 was passed by the Senate on May 25, 2005, by the following vote: Yeas 31, Nays 0.

Lately Spaw
Secretary of the Senate

APPROVED:

18 JUNE '05

Date

Rick Perry

Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
10:20 AM O'CLOCK

Roger Williams
Secretary of State