
SUBJECT: Allowing unopened wine to be removed from certain licensed premises

COMMITTEE: Licensing and Administrative Procedures — favorable, without amendment

VOTE: 7 ayes — S. Thompson, Kuempel, Darby, Ellzey, Geren, Guillen, Hernandez

0 nays

4 absent — Fierro, Goldman, Huberty, Pacheco

WITNESSES: For — (*Registered, but did not testify:* John McCord, NFIB; Kelsey Streufert, Texas Restaurant Association)

Against — None

BACKGROUND: Alcoholic Beverage Code sec. 28.10 establishes that a person who orders wine with food from a mixed beverage permittee and has a portion of the open container remaining may remove the open container of wine from the licensed premises.

DIGEST: HB 1755 would allow a person who ordered wine with food from the holder of a mixed beverage permit to remove the wine from the licensed premises whether the container was opened or unopened.

The bill would take effect September 1, 2021.

SUPPORTERS SAY: HB 1755 would allow Texas consumers to purchase and take home from a restaurant unopened bottles of wine that may be difficult to locate outside of that particular establishment. Currently, a person may remove only a re-corked bottle of wine ordered with food from the premises of a mixed beverage permit holder. The bill simply would make the ability to take home a bottle of wine ordered with food, opened or unopened, consistent.

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CRITICS
SAY:

No concerns identified.