

## **BILL ANALYSIS**

Senate Research Center  
86R5344 MCK-F

H.B. 2791  
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Business & Commerce  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

Currently, there is some ambiguity in the Alcoholic Beverage Code regarding the purchase of an alcoholic beverage for personal consumption by a person who then transports the beverage from a place where its sale is legal to a place where its possession is legal without holding a license or permit. For example, some have suggested that the current statute does not adequately address questions associated with transporting alcohol from a "wet" county or area to a "dry" county or area for personal consumption.

H.B. 2791 addresses this issue by clarifying that a person who purchases an alcoholic beverage for the person's own consumption may personally transport the beverage without obtaining a license or permit.

H.B. 2791 amends current law relating to the transport of alcoholic beverages for personal consumption.

### **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 107.08, Alcoholic Beverage Code, as follows:

Sec. 107.08. TRANSPORTATION OF BEVERAGES FOR PERSONAL CONSUMPTION. Authorizes a person who purchases an alcoholic beverage for the person's own consumption to personally transport it, rather than to transport it, from a place where its sale is legal to a place where its possession is legal without holding a license or permit. Makes a nonsubstantive change.

SECTION 2. Effective date: September 1, 2019.