The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 1545, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 27.01. AUTHORIZED ACTIVITIES. The holder of a temporary wine and beer retailer's permit may sell for consumption on or off the premises where sold, but not for resale, wine, beer, and malt liquors containing alcohol in excess of one-half of one percent by volume but not more than 17 percent by volume.


The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 1545, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 27.011. SALE OUTSIDE PERMIT HOLDER'S COUNTY. A holder of a temporary wine and beer retailer's permit that sells wine, beer, or malt liquor under that permit in a county other than the county in which the premises covered by the permit required by Section 27.04 is located must:

(1) purchase the beverages from a distributor or wholesaler authorized under this code to sell the beverages in the county in which the permit holder sells the beverages under this chapter; and

(2) report to the commission, in the manner prescribed by the commission by rule, the amount of beverages purchased and sold under this section, by type.

Added by Acts 2003, 78th Leg., ch. 90, Sec. 2, eff. Sept. 1, 2003.
Sec. 27.02. FEE. The state fee for a temporary wine and beer retailer's permit is $30. No refund shall be allowed for the surrender or nonuse of the permit.


Sec. 27.03. DURATION OF PERMIT. (a) Except as provided by Subsection (b), a temporary wine and beer retailer's permit may be issued for a period of not more than four days.

(b) A temporary wine and beer retailer's permit issued under Section 27.07 may be issued for a period of five days. On notice to the commission, the commission may extend the permit for one additional day to accommodate the postponement of scheduled racing events due to an act of nature.

Acts 1977, 65th Leg., p. 429, ch. 194, Sec. 1, eff. Sept. 1, 1977. Amended by:

Acts 2005, 79th Leg., Ch. 241 (S.B. 1331), Sec. 1, eff. May 28, 2005.

Sec. 27.04. REQUIRED BASIC PERMIT. A temporary wine and beer retailer's permit may be issued only to a holder of a wine and beer retailer's permit, a holder of a mixed beverage permit, or a nonprofit historic preservation organization that has been in
existence for at least 30 years.
Amended by Acts 1993, 73rd Leg., ch. 377, Sec. 1, eff. June 2, 1993;

The following section was amended by the 86th Legislature. Pending
publication of the current statutes, see H.B. 1545, 86th
Legislature, Regular Session, for amendments affecting the
following section.

Sec. 27.05. ISSUANCE AND USE OF PERMIT; RULES AND
REGULATIONS. (a) Temporary wine and beer retailer's permits are
issued by the administrator, the commission, or an authorized
representative of the commission. The commission shall adopt rules
and regulations governing the issuance and use of temporary wine
and beer retailer's permits.

(b) The permits shall be issued only for the sale of
authorized alcoholic beverages at picnics, celebrations, or
similar events, or events described by Section 27.07.

(c) The administrator or commission may refuse to issue a
permit if there is reason to believe the issuance of the permit
would be detrimental to the public.
Amended by:

Acts 2005, 79th Leg., Ch. 241 (S.B. 1331), Sec. 2, eff. May
28, 2005.

The following section was amended by the 86th Legislature. Pending
publication of the current statutes, see H.B. 1545, 86th
Legislature, Regular Session, for amendments affecting the
following section.

Sec. 27.06. CANCELLATION OR SUSPENSION OF BASIC PERMIT.
The basic permit under which a temporary wine and beer retailer's
permit was issued may be cancelled or suspended for a violation on
the premises covered by the temporary permit that would result in
the cancellation or suspension of the basic permit if committed on
the premises covered by the basic permit.
The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 1545, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 27.07. USE OF PERMIT IN CERTAIN RACING FACILITIES. (a) The commission may issue a temporary wine and beer retailer's permit to the holder of a mixed beverage permit covering premises located in a facility with a seating capacity of more than 150,000 that is open to the public for use in areas of the facility not otherwise covered by a license or permit during a motor vehicle racing event sponsored by a professional motor racing association.

(b) The commission may not issue more than four temporary wine and beer retailer's permits under this section in a calendar year to a mixed beverage permit holder.

(c) The holder of a temporary wine and beer retailer's permit under this section may not engage in the following activities on the areas covered by the permit:

1. sell alcoholic beverages in factory-sealed containers;
2. sell more than two drinks to a single consumer at one time;
3. sell alcoholic beverages at more than 50 percent of the food and beverage concession stands that are open for business at any one time; and
4. sell alcoholic beverages after:
   A. 75 percent of the feature race is complete on the day that race is held; and
   B. one hour before the scheduled completion of the last spectator event on a day other than the feature race day.

Added by Acts 2005, 79th Leg., Ch. 241 (S.B. 1331), Sec. 3, eff. May 28, 2005.

SUBCHAPTER B. SPECIAL THREE-DAY WINE AND BEER PERMIT

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 1545, 86th
Legislature, Regular Session, for amendments affecting the following section.

Sec. 27.11. AUTHORIZED ACTIVITIES. The holder of a special three-day wine and beer permit may sell for consumption on the premises for which the permit is issued, but not for resale, wine, beer, and malt liquors containing alcohol in excess of one-half of one percent by volume but not more than 17 percent by volume.
Added by Acts 1993, 73rd Leg., ch. 934, Sec. 33, eff. Sept. 1, 1993.
Amended by Acts 1999, 76th Leg., ch. 418, Sec. 6, eff. Sept. 1, 1999.

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 1545, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 27.12. FEE. The state fee for a special three-day wine and beer permit is $30.
Added by Acts 1993, 73rd Leg., ch. 934, Sec. 33, eff. Sept. 1, 1993.

The following section was amended by the 86th Legislature. Pending publication of the current statutes, see H.B. 1545, 86th Legislature, Regular Session, for amendments affecting the following section.

Sec. 27.13. ISSUANCE OF PERMIT. (a) The commission may issue a special three-day wine and beer permit directly to a nonprofit charitable, civic, or religious organization for the temporary serving of wine and beer at a picnic, celebration, or similar event sponsored by the organization.

(b) The commission by rule may limit the number of special three-day wine and beer permits issued in each calendar year to a single nonprofit charitable, civic, or religious organization for events sponsored by that organization.

(c) If a special three-day wine and beer permit is issued for a premises in an area in which the sale of beer for on-premise consumption has been authorized by a local option election, but the sale of wine for on-premise consumption has not been authorized, then the permittee is only authorized to sell beer.
Sec. 27.14. APPLICATION OF WINE AND BEER RETAILER'S PERMIT PROVISIONS. A provision of this code that applies to a wine and beer retailer permit applies to a special three-day wine and beer permit unless the provision conflicts with a provision of this subchapter.

Sec. 27.15. RULES. The commission may adopt rules as necessary to implement and administer this subchapter.