

## Supporting Information

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See Canvass Voting Report from 2008 Elections Voting FOR:

- The legal sale of beer and wine for off-premises consumption only
- The legal sale of mixed beverages in restaurants by food and beverage certificate holders only
- The legal sale of beer

### Section 109.33 of the Alcoholic Beverage Code Referenced in Sections 5(a),(b),(c), & (d)

- [ALCOHOLIC BEVERAGE CODE CHAPTER 109. MISCELLANEOUS REGULATORY PROVISIONS \(texas.gov\)](#)

Sec. 109.33. SALES NEAR SCHOOL, CHURCH, OR HOSPITAL (a) The commissioners court of a county may enact regulations applicable in areas in the county outside an incorporated city or town, and the governing board of an incorporated city or town may enact regulations applicable in the city or town, prohibiting the sale of alcoholic beverages by a dealer whose place of business is within: (1) 300 feet of a church, public or private school, or public hospital; (2) 1,000 feet of a public school, if the commissioners court or the governing body receives a request from the board of trustees of a school district under Section 38.007, Education Code; or (3) 1,000 feet of a private school if the commissioners court or the governing body receives a request from the governing body of the private school.

(b) The measurement of the distance between the place of business where alcoholic beverages are sold and the church or public hospital shall be along the property lines of the street fronts and from front door to front door, and in direct line across intersections. The measurement of the distance between the place of business where alcoholic beverages are sold and the public or private school shall be: (1) in a direct line from the property line of the public or private school to the property line of the place of business, and in a direct line across intersections; or

### Chapter 25 and 28 of the Texas Alcoholic Beverage Code (Referenced in Section 5(c))

- [ALCOHOLIC BEVERAGE CODE CHAPTER 25. WINE AND MALT BEVERAGE RETAILER'S PERMIT \(texas.gov\)](#)

Sec. 25.01. AUTHORIZED ACTIVITIES. The holder of a wine and malt beverage retailer's permit may sell:

- (1) for consumption on or off the premises where sold, but not for resale, wine and malt beverages containing alcohol in excess of one-half of one percent by volume and not more than 17 percent by volume; and
- (2) for consumption on the premises, the following beverages containing alcohol in excess of one-half of one percent by volume and not more than 24 percent by volume:
  - (A) traditional port or sherry;
  - (B) dessert-flavored wine; or
  - (C) rice wine.

- [ALCOHOLIC BEVERAGE CODE CHAPTER 28. MIXED BEVERAGE PERMIT \(texas.gov\)](#)

Sec. 28.01. AUTHORIZED ACTIVITIES. (a) The holder of a mixed beverage permit may sell, offer for sale, and possess mixed beverages, including distilled spirits, for consumption on the licensed premises:

- (1) from sealed containers containing not less than one fluid ounce nor more than two fluid ounces or of any legal size; and
- (2) from unsealed containers.

(b) The holder of a mixed beverage permit for an establishment in a hotel may deliver mixed beverages, including wine and malt beverages, to individual rooms of the hotel or to any other location in the hotel building or grounds, except a parking area or the licensed premises of another alcoholic beverage establishment, without regard to whether the place of delivery is part of the licensed premises. A permittee in a hotel may allow a patron or visitor to enter or leave the licensed premises, even though the patron or visitor possesses an alcoholic beverage, if the beverage is in an open container and appears to be possessed for present consumption.

(c) The holder of a mixed beverage permit may also:

- (1) purchase wine and malt beverages containing alcohol of not more than 24 percent by volume in containers of any legal size from any permittee or licensee authorized to sell those beverages for resale; and
- (2) sell the wine and malt beverages for consumption on the licensed premises.