



TEXAS ALCOHOLIC
BEVERAGE COMMISSION
Texans Helping Businesses & Protecting Communities

Tuesday, March 22, 2022 Regular Commission Meeting

11:30 am CST/10:30 am MT

This meeting will be live-streamed online. The in-person meeting will be in El Paso, TX. WestStar Tower, 601 N. Mesa, 19th Floor, El Paso, TX 79901. Visit the TABC public website for more information about attending this meeting.

1. Opening Items

- 1.1 Call to Order
- 1.2 Pledge of Allegiance
- 1.3 Approval of Commission Meeting Minutes of January 25, 2022

2. Recognitions

- 2.1 Retirement of Gene Bowman, Deputy Director of Audit and Investigations/MIU
- 2.2 Hall of Honor Recognitions
- 2.3 Recognition of Retirement of Executive Director Bentley Nettles

3. Reports

- 3.1 Internal Auditor Updates
- 3.2 Task Force Report on Graduated Fees for In-State Manufacturers
- 3.3 AIMS Briefing
- 3.4 Budget, Revenue and Performance Measures /Mid-year Update

4. Public Comment

- 4.1 Comments from the Public

5. Orders

- 5.1 Order Order Adjusting Production Limits Under Alcoholic Beverage Code Sections 62.122

6. Rules

- 6.1 Consideration and Potential Action Adoption of New and Amended Ch. 39 POE
- 6.2 Consideration and Potential Action on Publication of Proposed New and Amended Ch 34, Schedules of Sanctions and Penalties
- 6.3 Consideration and Potential Action on Publication of Proposed New Ch 35, Enforcement
- 6.4 Consideration and Potential Action on Publication of Proposed New Rules 41.17-41.27, Recordkeeping and Reports
- 6.5 Consideration and Potential Action on Publication of Proposed New Rule 50.33, Alcohol Delivery Compliance
- 6.6 Consideration and Potential Action on Publication of Proposed Repeal of Rules 34.3-34.6
- 6.7 Consideration and Potential Action on Publication of Repeal of Rules 35.7, 35.11, 35.21, 35.31, 35.32, 35.41, 35.50 and 35.51

6.8 Consideration and Potential Action on Publication of Repeal of Rule 36.1

6.9 Consideration and Potential Action on Publication of Repeal of Rule 37.61

6.10 Consideration and Potential Action on Publication of Repeal of Rules 41.17-41.26

6.11 Consideration and Publication of Notice of Intent to Review Chapter 37, Legal

7. Executive Session

7.1 The Commission will conduct a closed meeting to deliberate the appointment, employment, evaluation, reassignment, duties, discipline or dismissal of the Commission's Executive Director or Internal Auditor as permitted by Section 551.074 of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code

7.2 The Commission will conduct a closed meeting to receive legal advice from its attorney(s) and will discuss pending or contemplated litigation, settlement offers, or other matters in which the attorney has the duty to advise, as permitted by Section 551.071 of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code. The Commission may also meet in open meeting to take action on this matter as required by Section 551.102 of the Texas Open Meetings Act, Chapter 551 of the Texas Government Code

7.3 Return to Open Session

7.4 Potential Action on Items Discussed in Executive Session

8. Closing Items

8.1 Announcement of Next Meeting Date

8.2 Adjournment

Note: Items may not necessarily be considered in the order they appear on the agenda. Executive session for advice of Counsel (pursuant to §551.071 of the Government Code) may be called regarding any agenda item. Action may be taken on any agenda item.

NOTICE OF ASSISTANCE AT PUBLIC MEETINGS

Persons with disabilities who plan to attend this meeting and who may need auxiliary aids or services (such as interpreters for Persons who are deaf, hearing impaired readers, large print, or Braille) are requested to contact Luann Dickerson at (512) 206-3221 (voice) (512) 206-3203 (fax). Relay Texas at 1-800-735-2989 (TTY/TDD), at least three (3) days prior to the meeting so that appropriate arrangements can be made.