



TABC

Caterer's Permit (CB)

Know your responsibilities for a



Caterer's Permit (CB)



The Permit

A Caterer's Permit (CB) is only issued to the holder of a mixed beverage permit (MB or RM) and authorizes the sale of alcoholic beverages on a temporary basis at a place other than the premises for which the holder's mixed beverage permit is issued.

- If the primary permit becomes inactive for any reason, the caterer's permit (CB) is no longer valid.

IMPORTANT: This privilege may only be granted in an area where the sale of mixed beverages has been authorized by a local option election.



The Permit

A Caterer's Permit (CB) is a subordinate permit your primary mixed beverage permit (MB). The privileges and prohibitions which apply to the sale and service of mixed beverages on the licensed premises also apply to the sale under the authority of a Caterer's Permit (CB). **A caterer's certificate shall be issued by the local TABC office in which the catered event occurs.**

IMPORTANT: Any act prohibited on the licensed premises of the mixed beverage permit is also prohibited when the permittee is operating under the Caterer's Permit (CB)



Local Authorities

A caterer's permit (CB) utilized in conjunction with an outdoor venue or festival may require pre-approval by local law enforcement authorities along with city and county government entities.

- Control issues for these types of events will also need to be addressed with the local TABC Office.

IMPORTANT: Catered functions at public facilities (museums, community centers, commercial building, etc.) will require a letter from the facility granting permission for the TABC to issue the certificate.



Purchasing Alcohol

- All alcoholic beverages sold or served at a catered location must be purchased in the county where the premise of the mixed beverage permit is located.
- Upon the termination of the catered function, all remaining alcoholic beverages shall be removed from the catered location and taken to the primary mixed beverage location.

IMPORTANT: A Beverage Cartage Permit (PE) is required by the mixed beverage permit holder to transport alcoholic beverages to and from the catered location.



Hours of Sale

The hours of sale, service and consumption of the alcoholic beverages at the catered location are the **same as those authorized at the primary location**, with the possible exception that if at the catered location extended hours are not authorized by statute, ordinance or county commissioner's court order, then standard hours apply even if the primary location is authorized for extended hours.

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Receipts

All receipts from mixed beverage sales under authority of the caterer's permit (CB) shall be treated for tax purposes as if they were made under authority of the primary permit and subject to the 14% gross receipts tax.



Local Fees and Taxes

The governing body of a city or town may levy and collect a fee **not to exceed one-half the state fee** for permit issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee **equal to one-half of the state fee** for each permit issued for premises located within the county.

Those authorities may not levy or collect any other fee or tax from the permittee except general ad valorem taxes, the hotel occupancy tax levied under Chapter 351, Tax Code, and the local sales and use tax levied under Chapter 321, Tax Code.

The commission or administrator may cancel a permit if it finds that the permittee has not paid a fee levied as described above.

IMPORTANT: A permittee who sells an alcoholic beverage without first having paid a fee levied as described commits a misdemeanor punishable by a fine of not less than \$10 nor more than \$200.



Cancellation of Permit

Any violation of the code that occurs at the catered location, which is grounds for cancellation or suspension of the mixed beverage permit (MB), is grounds for cancellation or suspension of both the mixed beverage permit (MB) and caterer's permit (CB).



Use of Caterer's Permit

Rule 33.12

Authority and Applicability.

This rule is promulgated under the authority of [Alcoholic Beverage Code, 31.03\(b\)](#) and, in the absence of specific statutory authority to the contrary, regulates the activities of holders of mixed beverage permits (MB) who also hold caterer's permits (CB) issued in conformity with Chapter 31 of the code.



Designated Areas

Except as provided for in subsection (e) of section 31.04, the holder of a caterer's permit (CB) or his designated representative shall complete a form provided by TABC prior to the use of the permit. The forms must include the following information:

1. The Caterer's Permit (CB) number;
2. The trade name of the Mixed Beverage Permit (MB) associated with the Caterer's Permit (CB);
3. The location of the function(s) to be catered;
4. The date(s) and time(s) of the function(s) to be catered; and
5. A brief description of the function to be catered

The form must be signed by a representative of TABC and a copy(s) shall be left with the local Regional office. The original of the form must be placed in a conspicuous place at the location of the catered function during the time that the function is being catered.



Use in Connection with Pending Applications

Only under the following circumstances may the holder of a caterer's permit (CB) utilize that authority to provide service of alcoholic beverages at a location which has been designated as the licensed premises in a pending application for a permit or license allowing for the sale of alcoholic beverages for on-premise consumption.

- There has been no protest filed by the commission, any local authorities or groups of citizens against the granting of the pending application.
- The TABC Regional office must have determined that the license or permit application for the proposed location has been completed and that all fees and securities, if applicable, have been paid.
- The caterer's permit (CB) may be used for no more than ten (10) days, counting the day of the first catered event, unless the administrator or his designated representative, on the basis of a case-by-case review of the specific situation, grants an extension of time.

Regardless of the number of days on which the caterer's permit has been used, the right to use that permit terminates when;

1. The commission either issues an order denying the previously pending application or
2. Issues the license or permit for which application has been made.



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Suspension

No holder of a caterer's permit shall utilize that authority to provide service of alcoholic beverages on the licensed premises of any person or entity whose permit or license for that location has been suspended by commission administrative action.



Repetitive Catering

Holders of a caterer's permit (CB) who have frequent, repetitive catering at a specific location or on a designated route may apply for repetitive catering certificates. An application for repetitive catering certificates shall be made on forms prescribed by the commission. Upon approval of the commission, a permit holder will be issued sequentially numbered certificates.

Certificates will not be issued if barred under subsections (c) and (d) of section 31.04. To use a caterer's permit, the holder must complete a sequentially numbered certificate for each event held. The repetitive catering certificate must be completed prior to the function and placed in a conspicuous place at the location of the function at all times during the function. At any time the administrator or designated representative may compel a permit holder to return all certificates for a location to the commission.



Repetitive Catering Certificate

The repetitive catering certificates must specify the location or route for which the certificates are issued, the permit number under which they are issued, and the trade name of the mixed beverage permit (MB) associated with the caterer's permit (CB). The holder of a caterer's permit (CB) shall complete the following information on the certificate prior to the event:

1. The date and time of the function;
2. The location of the function; and
3. A description of the event



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Reporting

Holders of repetitive catering certificates shall deliver or mail copies of the repetitive catering certificates to the commission at the district office in which a catered event occurs within **seven (7) days** of the conclusion of the catered event.



Grounds for Denial

The administrator or his designated representative shall refuse to issue a catering certificate or repetitive catering certificates to anyone if there is reason to believe the issuance of a certificate is detrimental to the public.



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Congratulations!



Certificate of Completion

This certifies that:

Name: _____

Has successfully completed the Responsibilities Course for a Caterer's Permit (CB) offered by the Texas Alcoholic Beverage Commission.

Business Trade Name: _____

Business Location Address: _____

Check this box if you would like additional information in regards to your responsibilities.

By signing this certificate you acknowledge that you have completed the Responsibilities Course for a Caterer's Permit (CB).

Applicant Signature/Title/Position

Date

Press the Print button to print your Certificate of Completion. After the print dialogue box opens, change "Pages to Print" from "All" to "page 19" to print your certificate.