



# Application Certification Guide

**DISCLAIMER:** *This guide is for reference only. Please refer to the Alcoholic Beverage Code and rules for additional information.*

The Texas Alcoholic Beverage Code (“Code”) provides the Texas Alcoholic Beverage Commission with the authority to regulate all aspects of alcoholic beverage manufacture, distribution, and consumption in the State of Texas. The Code allows local communities (county, city, justice precinct, etc.) the right to determine the types of alcohol allowed to be sold within their local jurisdictions.

This guide provides an overview of the regulatory provisions of the Code and rules that apply to City and County Clerks when certifying the wet/dry status on an application for a TABC license or permit. It does not answer every question that may arise.

Sections 11.37 and 61.37 of the Code outline the relevant timelines and obligations for local officials certifying the wet/dry status of an applicant’s address. Please consult with your local counsel for legal advice pertaining to those provisions, as well as compliance with any local ordinances pertaining to alcoholic beverages. The Alcoholic Beverage Code and Rules are available online at [abc.texas.gov](http://abc.texas.gov).

## Effective on Sept. 1, 2021

CITY/COUNTY CERTIFICATION	APPLICANT APPLYING FOR
LAST LOCAL OPTION ELECTION HELD FOR:	PERMIT/LICENSE APPLICATION
The legal sale of malt beverages for off-premise consumptions only	BF, BB, BC, BW <sup>1</sup> , G <sup>2</sup>
The legal sale of malt beverages	BF, BE, BB, BC, BA, G <sup>2</sup>
The legal sale of malt beverages and wine for off-premise consumption only <sup>3</sup>	BF, BQ, Q, BB, BC, X, BW <sup>1</sup> , G <sup>2</sup>
The legal sale of malt beverages and wine <sup>3</sup>	BF, BQ, Q, BE, BG, BB, BC, X, BW, G
The legal sale of all alcoholic beverages for off-premise consumption only <sup>4</sup>	BF, BQ, Q, P, BB, BC, X, W, BW <sup>1</sup> , G, D <sup>1</sup>
The legal sale of all alcoholic beverages except mixed beverages <sup>4</sup>	BF, BQ, Q, P, BE, BG, BB, BC, X, W, BW, G, D <sup>1</sup>
The legal sale of all alcoholic beverages including mixed beverages <sup>4</sup>	BF, BE, BQ, BG, MB, Q, P, BB, BC, X, W, BW, G, D
The legal sale of mixed beverages <sup>4</sup>	BF, BE, BQ, BG, MB, Q, P, BB, BC, X, W, BW, G, D
The legal sale of mixed beverages in restaurants by food and beverage certificate holders only <sup>4</sup>	BF, BE, BQ, BG w/FB, RM, Q, P, BB, BC, X, W, BW, G, D
The legal sale of wine on the premises of a holder of a winery permit	G, GS

- ① Off-Premise only
- ② A Winery Permit (G) may be issued in a dry area. (Section 16.011 of the Code).
- ③ If the election occurred prior to Sept 1, 1999, wine is allowable up to 14%. If the election occurred after Sept 1, 1999, wine is allowable up to 17%.
- ④ Regardless of when the election occurred, if election occurred for any “all alcoholic beverages” then wine up to 17% is allowable.



**A Note on Storage Permits:** Effective Sept. 1, 2021 only FC and J permits will require certifications. FC and J permits are allowable if the area has had a local option election allowing the type of product being stored at the location.

**A Note on Updated TABC Application Forms:** TABC has implemented a new online application platform (AIMS) and this has resulted in a new look from the standard paper applications many local officials are used to receiving. Applicants electing to not use the AIMS system will still provide the standard paper applications. The certification forms provided by applicants using the AIMS system will look like a printout from the AIMS website and do not include all of pages and/or information contained in the previous paper applications. Although the wet/dry certification page looks different, it is the official TABC application document required to be certified under law. An example of the AIMS certification page is attached to this guide.

**Effective Sept. 1, 2021: Beer will no longer be a type of alcoholic beverage under the Code. However, businesses currently located in a beer-only jurisdiction must continue to only sell malt beverages containing 5% or less alcohol by volume until a future local option election allows for the sale of all malt beverages. Jurisdictions may no longer hold a beer-only local option election and must include malt beverages (beer and ale under current law).**