



TABC

**Nonprofit Entity Temporary Event
Permit (NT)**

Know Your Role As A

**Nonprofit Entity Temporary
Event Permit (NT)**



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TABC wants your business to prosper. One part of your success is understanding how Texas law affects your business. We've designed this course to provide the basics of what you can and can't do with your business. This is a summary of your responsibilities and isn't meant to be an exhaustive list. Please see the [Alcoholic Beverage Code](#) (Code), [TABC Administrative Rules](#) (Rules) and our [Marketing Practices Advisories](#) for more details.



What Can I Do With My Permit?

The Basics

- You are a nonprofit entity as defined by Sec. 30.01 of the Code:
 - Nonprofit corporation
 - Nonprofit charitable, civic or religious organization
 - Political party or association*
 - Fraternal organization*
 - Political candidates and officeholders*
- You may sell alcoholic beverages at an event you sponsor such as a picnic or celebration.
- The alcoholic beverages you sell must be allowed to be sold where the event is to be held (as a result of a local option election or statutory authority) and for consumption on the premises.



What Do I Need to Know?

- Your permit can last no more than 10 consecutive days.
- The effective dates of your permit must cover the time of receipt of the alcohol until the conclusion of the event.
- Your permit must be displayed in a conspicuous place at the location of the event at all times during the event.
- You must maintain exclusive control of all phases of the possession, sale, and service of alcohol at the event location.
- Hours of the event must adhere to hours of operation authorized by local authorities.
- You must purchase distilled spirits from a local distributor permit holder. Wine may be purchased from the holder of a winery permit or general class B wholesaler's permit.

For additional information, please visit our [Temporary Event Authorization page](#) and Rules 33.70-75 and 33.78-33.79 in Subchapter E, Events at a Temporary Location.



What Can I Do Without Obtaining a Permit?

As a nonprofit hosting a fundraising event, you may hold an event without a NT permit. Without an NT, the event is considered a non-permitted event. To legally hold an event without an NT permit, alcoholic beverages must be provided free of charge.

- For alcoholic beverages to truly be considered free:
 - You must provide alcoholic beverages to any non-intoxicated person at least 21 years of age who requests it, ticketed or not.
 - The alcoholic beverages offered to the non-ticket holder can be offered outside of the event in a controlled space/area.
 - While entry into the event may be conditional with a donation or ticket; you cannot require a membership fee, entrance fee, door charge, meal charge or ticket price to get the free alcohol.
- You may receive product or cash donations from members of the alcoholic beverage industry.
- You may enter into sponsorship or underwriting agreements with members of the alcoholic beverage industry, including agreements for advertising, signage, and product exclusivity.

For more information, see [MPA026 Certain Nonprofit Entities Serving Alcoholic Beverages at Temporary Events](#).



What Is a Charitable Auction?

As a NT permit holder, you may host an auction for charity using donated alcoholic beverages.

The following provisions apply:

- The alcoholic beverages awarded to the participant must be consumed off the permitted premises.
- Proceeds earned from the auction, must be deposited into the nonprofit's account.
- You may not auction alcoholic beverages if taxes are owed on the beverages.
- You may not pay a promotional allowance or commission to a person(s) to arrange or conduct the charitable auction; and

As a nonprofit, you may host a charitable auction if there are no alcohol sales or service at the event. The following provisions apply:

- If the event is a charitable auction, no preapproval or additional permit would be required.
- No permit fee is required.
- A [Nonprofit Entity Temporary Event – Auctions](#) form must be completed.



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What Can I Do With My NT Permit?

You can sell alcoholic beverages at the temporary event. Under this scenario, no other license or permit holder may sell or distribute alcoholic beverages at the event.

You may accept cash donations from members of the alcoholic beverage industry (or anyone else) and use it for whatever means the organization chooses, whether it is to purchase alcoholic beverages or something else. Industry members cannot enter into a contract agreement to determine where and how you choose to spend the monetary donation.

For example: An agreement that provides the manufacturing or wholesale tier the right to decide what products or advertisements should be displayed or sold at your event.

For more information, please see [MPA026 Certain Nonprofit Entities Serving Alcoholic Beverages at Temporary Events](#).



Who Can I Buy Alcoholic Beverages From?

Alcoholic beverages cannot be purchased from retailers such as grocery stores or corner stores. Here are the types of businesses you can buy from:

Malt Beverages can be purchased from businesses that hold these licenses:

- General (BB) and Branch Distributors (BC)
- Brewer's Self-Distribution License (SD)
- Package Store Permit (P) with a Local Distributor's Permit (LP)
- Brewpub (BP) with a Wine and Malt Beverage Retailer's Permit (BG)

Malt beverage purchases are subject to "cash law". For more information, see TABC's **Cash and Credit Law Module**.

Wine can be purchased from businesses that hold these permits:

- Winery Permit (G)
- Wholesaler's Permit (W) and General Class B Wholesaler's Permit (X)
- Package Store Permit (P) with a Local Distributor's Permit (LP)

Distilled Spirits can be purchased from businesses that hold these permits:

- Package Store Permit (P) with a Local Distributor's Permit (LP)

Wine and Distilled spirits purchases are subject to "credit law." For more information, see TABC's **Cash and Credit Law Module**.



Can I Pay For A Third-Party Concessionaire to Permit My Event?

A nonprofit entity may hire a retailer to obtain a TEA or partner with a second nonprofit entity who obtains a NT to sell and serve alcoholic beverages at the temporary event.

The hosting nonprofit entity that is independent from the retailer may:

- receive cash or in-kind donations from manufacturers, wholesalers or retailers.
- enter into an agreement with the retailer whereby the retailer donates a portion of the proceeds from the event to the nonprofit entity.

The independent retailer must retain the right to control the quantity and/or selection of brands of alcoholic beverages bought or sold by the independent retailer.

Manufacturers, wholesalers and retailers may not coerce, persuade or induce nonprofit entity to persuade the independent retailer to engage in activities that are prohibited by other provisions of the Alcoholic Beverage Code.

For more information, please see [MPA026 Certain Nonprofit Entities Serving Alcoholic Beverages at Temporary Events](#)



What Other Modules Should I Take?

You have now completed this module. Please proceed to the following modules for additional guidance for your permit.

- **Cash and Credit Law Module** – What is cash and credit law?
- **Marketing Practices Module** – What marketing promotions and advertisements are allowed?



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Questions?

Please contact your local TABC office.

tabc.texas.gov/contact-us/