



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

service ★ courtesy ★ integrity ★ accountability

**ANNUAL REPORT
OF
NONFINANCIAL DATA
FOR FISCAL YEAR 2013**

**JOSÉ CUEVAS, JR., Presiding Officer
STEVEN M. WEINBERG, MD, JD, Member
MELINDA S. FREDRICKS, Member
SHERRY COOK, Administrator**



TABC

TEXAS ALCOHOLIC BEVERAGE COMMISSION

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José Cuevas, Jr.
Presiding Officer-Midland

Steven M. Weinberg, MD, JD
Member-Colleyville

Melinda S. Fredricks
Member-Conroe

Sherry Cook
Administrator

December 31, 2013

The Honorable Rick Perry, Governor
John Keel, CPA, State Auditor
Ursula M. Parks, Director, Legislative Budget Board

Dear Sirs and Madam,

We are pleased to submit the Texas Alcoholic Beverage Commission's *Annual Report of Nonfinancial Data* for the year ended August 31, 2013, in compliance with the TEX. GOV'T CODE ANN. § 2101.0115 and in accordance with the instructions for completing the Annual Report of Nonfinancial Data.

The accompanying report has not been audited and is considered to be independent of the agency's or institution's *Annual Financial Report*.

If you have any questions, please contact Shelby Eskew at (512) 206-3244.

Sincerely,

A handwritten signature in cursive script that reads "Sherry Cook".

Sherry Cook
Administrator

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**TEXAS ALCOHOLIC BEVERAGE COMMISSION
ANNUAL REPORT OF NONFINANCIAL DATA
For the Fiscal Year Ended August 31, 2013**

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I. SCHEDULES

I. SCHEDULES

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 1
APPROPRIATION ITEM TRANSFERS*
For the Fiscal Year Ended August 31, 2013

ITEM OF APPROPRIATION - AY 2013

	Transfers In	Transfers Out	Net Transfers
	\$	\$	\$
A. Goal: Regulate Distribution			
Strategy:			
A.1.1 13016 Public Enforcement	0	(888,882)	(888,882)
A.1.1 21204 Reduction for Lost Property	0	0	0
A.1.1 52001 Capital Budget	303,588	0	303,588
A.1.1 52004 Capital Budget	387,426	0	387,426
A.1.1 52005 Capital Budget	219,419	0	219,419
Total, Goal A: Regulate Distribution	<u>910,433</u>	<u>(888,882)</u>	<u>21,551</u>
B. Goal: Process TABC Applications			
Strategy:			
B.1.1 13017 Business Compliance	0	(56,179)	(56,179)
B.1.1 52001 Capital Budget	36,179	0	36,179
Total, Goal B: Process TABC Applications	<u>36,179</u>	<u>(56,179)</u>	<u>(20,000)</u>
C. Goal: Collect Fees and Taxes			
Strategies:			
C.1.1 13018 Inspections and Compliance	0	(65,464)	(65,464)
C.1.1 52001 Capital Budget	63,913	0	63,913
C.2.1 13007 Ports of Entry	0	(16,094)	(16,094)
C.2.1 52001 Capital Budget	16,094	0	16,094
Total, Goal C: Collect Fees and Taxes	<u>80,007</u>	<u>(81,558)</u>	<u>(1,551)</u>
D. Goal: Indirect Administration			
Strategies:			
D.1.1 13800 Central Administration	0	(11,594)	(11,594)
D.1.1 52001 Capital Budget	11,594	0	11,594
D.1.2 13801 Information Resources	0	(985,817)	(985,817)
D.1.2 22701 DCS Reductions	75,811	0	75,811
D.1.2 52001 Capital Budget	10,456	0	10,456
D.1.2 50002 Capital Budget	370,457	0	370,457
D.1.2 52150 Capital Budget	529,093	0	75,811
D.1.3 13802 Other Support Services	0	(5,066)	(5,066)
D.1.3 52001 Capital Budget	5,066	0	5,066
Total, Goal D: Indirect Administration	<u>1,002,477</u>	<u>(1,002,477)</u>	<u>0</u>
Contingency Appropriations			
22846 Contingency Appn HB 1936	0	0	0
Total, Contingency Appropriations	<u>0</u>	<u>0</u>	<u>0</u>
NET APPROPRIATION ITEM TRANSFERS	<u>2,029,096</u>	<u>(2,029,096)</u>	<u>0</u>

*This schedule does not include Benefit Replacement Pay Transfers.

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 2
HUB STRATEGIC PLAN PROGRESS REPORT
For the Fiscal Year Ended August 31, 2013

CATEGORY	Actual for FY 2012*	Actual for FY 2013*	Goal for FY 2012**
Heavy construction other than building contracts	0.00%	0.00%	11.20%
Building construction, including general contractors and operative builders contracts	0.00%	0.00%	21.10%
Special trade construction contracts	43.70%	29.32%	32.70%
Professional services contracts	0.00%	95.92%	23.60%
Other services contracts	21.50%	17.61%	24.60%
Commodities contracts	21.26%	27.62%	21.00%

*Actual = Percent spent with HUBS from Comptroller's HUB report

**Goal = Strategic Plan HUB goals

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 3
INDIRECT COSTS

For the Fiscal Year Ended August 31, 2013

Payroll Related Costs

FICA Employer Matching Contribution	\$	2,125,613
Group Health Insurance		3,650,034
Payroll Health Insurance Contribution		260,188
Retirement		1,792,187
Retirement-Other		10,525
Unemployment		9,881

Total Payroll Related Costs \$ 7,848,427

Benefit Replacement Pay (BRP)	\$	<u>100,799</u>
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Total Benefit Replacement Pay \$ 100,799

Indirect Costs - Statewide Full Cost Allocation Plan

Building Depreciation	\$	17,971
CPA Fiscal and ITD		142,030
CPA Purchasing & Support (TPASS)		3,431
CPA Rebates		(1,866)
CPA Rebates Correct FY2012		1,469
Dept. of Information Resources		744
DIR Roll Forward Adjustments		(1,080)
TFC Planning & Asset Management		32,474
TFC Facility Design & Const. & Construction		(950)
Governor's Budget and Planning		419

Total Indirect Costs - Statewide Full Cost Allocation Plan \$ 194,642

TOTAL INDIRECT COSTS \$ 8,143,868

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**SCHEDULE 4
PROFESSIONAL, CONSULTING FEES AND LEGAL SERVICE FEES
For the Fiscal Year Ended August 31, 2013**

NAME	TYPE OF SERVICE RENDERED	AMOUNT
Lawson and Weitzen LLP	Other Witness Fees	10,700
Integrated Fitness Systems/Fitforce	Educational and Training Services	2,105
LBM Systems LLC	Computer Programming	13,899
Glock Professional Inc.	Educational and Training Services	195
Economic Evidence	Other Witness Fees	437
CRM Learning	Educational and Training Services	846
Randolph McAfee Inc	Educational and Training Services	49,100
Systems Application Engineering Inc.	Computer Programming	21,000
Workers Assistance Program Inc.	Educational and Training Services	400
Workers Assistance Program	Other Professional Services	8,350
Austin Ribbon & Computer Supplies	Consultant Services-Computer	26,720
Allied Consultants	Consultant Services-Computer	190,033
Allied Consultants Inc.	Computer Programming Services	105,830
Carlos H Ochoa	Other Professional Services	450
Jansen and Gregorczyk CPA	Financial and Accounting Services	2,000
Monday N Rufus PC	Financial and Accounting Services	50,000
National Academy for Professional Driving	Educational and Training Services	1,950
Apple Inc.	Computer Programming Services	99
Goggle/Android Developer	Computer Programming Services	25
Texas Department of Information Resources	Computer Services-Statewide Tech Center	440,391
Texas Department of Public Safety	Educational and Training Services	420
Total Professional / Consulting Fees	EXH II - AFR	\$924,950
Total Legal Fees	EXH II - AFR	\$0
Total Professional / Consulting and Legal Fees	EXH II - AFR	\$924,950

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 5A

SPACE OCCUPIED - STATE OWNED BUILDINGS

For the Fiscal Year Ended August 31, 2013

Space occupied in state owned buildings by the Commission as August 31, 2013, was as follows:

LOCATION	ADDRESS	SQUARE FEET OCCUPIED
El Paso, TX	401 E. Franklin, Suite 120 El Paso, TX 79901	2,885
Paso Del Norte Bridge, El Paso, TX	1000 S. El Paso Street El Paso, TX 79901	1,474
Bridge of the Americas, El Paso, TX	3600 E. Paisano El Paso, TX 79901	433
Juarez Lincoln Bridge, Laredo, TX	700 Lincoln St. Laredo, TX 78040	183
Gateway International Bridge, Laredo, TX	1100 Zaragoza Laredo, TX 78042	149
Yselta, TX	797 South Zaragosa El Paso, TX 79907	144
Warehouse - Austin	4044 Promontory Point, Austin, TX	6,200

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**SCHEDULE 5B
SPACE OCCUPIED - FREE SPACE
For the Fiscal Year Ended August 31, 2013**

Free space occupied by the Commission as of August 31, 2013, was as follows:

LOCATION (TEXAS)	ADDRESS	SQUARE FEET
Alpine Outpost	Brewster Co. Sheriff's Office 201 West Ave. E., Alpine, TX 79830	80
Belton Outpost	Bell Co. Courthouse Annex 111 E. Water, Belton, TX 76513	760
Brazoria Outpost	Brazoria Police Department 202 S. Main St., Brazoria, TX 77422	300
Cameron Co. Outpost	1390 W. Expressway 83, San Benito, TX 78586	300
Cleburne Outpost	1102 E. Kilpatrick, Cleburne, TX 76031	140
Denton Outpost	750 South Mayhill Rd, Ste B116, Denton, TX 76208	210
Fort Davis Outpost	Fort Davis County Annex Building, 103 Court Avenue, Fort Davis, TX 79734	120
Georgetown Outpost	Williamson Co. Courthouse Annex 517 Pine St., Georgetown, TX 78626	200
Greenville Outpost	Hunt Co. Criminal Justice Center, 2801 Stuart St., Greenville, TX 75401	150
Hondo Outpost	Medina County Courthouse 801 Avenue Y, Hondo, TX 78861	65
Huntsville Outpost	Huntsville Police Dept. 1220 11th St., Huntsville, TX 77340	100
La Grange Outpost	243 S. College, La Grange, TX	150
Laredo Outpost	Webb Co. Courthouse 1200 Washington, Laredo, TX 78042	850
Leander Outpost	705 Leander Dr., Leander, Texas 78641	100
Llano Outpost	Llano Co. Sheriff's Office, 2001 N. State Hwy 16, Suite A, Llano, TX 78643	190
Lufkin Outpost	Angelina Co. Sheriff's Office 2311 E. Lufkin Ave., Lufkin, TX 75901	150
McKinney Outpost	Collin Co. Annex 825 N. McDonald, Suite 180, McKinney, TX 75069	600
Mount Pleasant Outpost	383 Fort Sherman Dam Road, Mt Pleasant, TX 75456	150
New Braunfels Outpost	Comal County Tax Office, 205 N. Seguin Ave., New Braunfels, TX 78130	100
San Marcos Outpost	Hays Co. Courthouse Annex 102 N. LBJ, Suite 200, San Marcos, TX 78666	570
Sherman Outpost	Grayson Co. Courthouse 100 W. Houston St., 3rd Floor, , Sherman, TX 75090	300
Tyler Outpost	1517 West Front Street, Box 4, Tyler, TX 75702	900
Uvalde Outpost	Uvalde Co. Courthouse 100 N Getty Street, 3rd Floor, Box 2, Uvalde, TX 78801	65
Wharton Outpost	Wharton Co. Sheriff's Office 315 E. Elm, Wharton, TX 77488	100
TOTAL		6,650

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**SCHEDULE 5C
SPACE OCCUPIED - LEASED SPACE**

For the Fiscal Year Ended August 31, 2013

Rented space occupied by the Commission as of August 31, 2013, was as follows:

	LOCATION	LESSOR
Abilene	209-C S. Danville	Enterprise Building Abilene, L.P.
Amarillo	3131 Bell Street	JSW Properties
Anzalduas	Anzalduas Bridge	General Services Administration
Arlington	2225 East Randol Mill Road	Arlington Downs Tower
Austin	5806 Mesa Drive	ASEM Properties
Austin	7600 Chevy Chase Dr. Suite 116	Chase Park Owner, LLC
Austin	4044 Promontory Point, Bldg.#1	Texas Building and Procurement
Beaumont	6450-52 Concord Road	Walker Brother Properties
Bryan	1716 Briarcrest, Suite 508	G/G Enterprises
Conroe	702 N. Thompson Suite 110	Five Star Interest, L.P.
Corpus	2820 South Padre Island Dr.	2820 South Padre Island Drive, L P
Del Rio	Del Rio Bridge	General Services Administration
Donna (Donna Intl Bridge)	Lot 12 of International Bridge Subdivision	City of Donna
Eagle Pass	500 S. Adams	City of Eagle Pass
El Paso	Paso Del Norte Bridge-GS07b(s)	General Services Administration
Hidalgo	929 International Bridge	City of McAllen
Houston	427 West 20th Street, Suite 600	Heights Medical Tower, LTD
Longview	2800 Gilmer Road	Gary F. Mapes
Lubbock	3223 S. Loop 289, Suite 301	BGK Integrated TIC Management, LLC
McAllen	6521 North 10th Street, Ste. D	Yzaguirre & Chapa, LLC
Odessa	6010 E. Highway 191	Sagebrush Partners
Pharr	Pharr International Bridge	City of Pharr
Presidio	Presidio International Bridge Hwy. 67	RCS Incorporated, Pecos
Progreso	Progreso International Bridge S. FM 1015 Rd.	Sam R. Sparks LP
Richmond	1521 Eugene Heimann Circle	Fort Bend County
San Angelo	622 South Oakes, Suite P	City of San Angelo
San Antonio	4203 Woodcock Drive, Suite 120	Brass Centerview Holdings
Victoria	205 North Bridge Street	Victoria County
Waco	6001 West Waco Drive, Suite 314	CBL Richland Mall
Wichita Falls	624 Indiana Street, Suite 300	Mathis, West, Huffines & Company

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LEASE NO	TYPE	USABLE SQ FT	FTES	MONTHLY RENTAL	COST PER FT ²	ANNUAL COST	COMMENTS
ABC-066	Office	2,200	5.0	2,200	\$1.00	\$26,400	Expires 08/31/13
ABC-078	Office	2,412	7.0	2,550	\$1.06	\$30,600	Expires 08/31/17
GS07B(s)-2271	Tax Booth	99	14.0	1,054	\$10.65	\$12,654	Expires 11/30/14
ABC-015	Office	7,233	61.0	19,642	\$2.72	\$235,704	Expires 12/31/16
ABC-092	Office	31,618	135.6	61,049	\$1.93	\$732,588	Expires 08/31/17
ABC-053	Office	5,378	28.0	10,789	\$2.01	\$129,468	Expires 12/31/15
IAC#01-1294	Warehouse	6,200	2.0		\$0.00	\$0	Expired 08/31/09
ABC-061	Office	2,134	7.0	2,550	\$1.19	\$30,600	Expires 08/31/15
ABC-073	Office	1,673	8.0	3,051	\$1.82	\$36,612	Expires 08/31/17
458-6-40003A	Office	2,000	10.0	2,680	\$1.34	\$32,160	Expires 08/31/15
ABC-069	Office	2,996	11.0	3,035	\$1.01	\$36,420	Expires 08/31/16
GS07B(s)-2260	Tax Booth	165	4.0	524	\$3.18	\$6,288	Expires 5/1/15
	Tax Booth		1.0	2,250		\$27,000	Expires 11/14/2015
ABC-090	Tax Booth	180	8.0	650	\$3.61	\$7,800	Month to Month
GS07B(s)-2062	Tax Booth	1,474	19.0	1,796	\$1.22	\$21,552	Expires 5/1/15
ABC-055p	Tax Booth	650	14.0	2,109	\$3.24	\$25,304	Expires 08/31/13
ABC-052	Office	9,787	73.0	10,864	\$1.11	\$130,368	Expires 08/31/14
ABC-047	Office	2,220	7.0	2,640	\$1.19	\$31,680	Expires 08/31/15
ABC-079	Office	2,706	6.0	3,756	\$1.39	\$45,072	Expires 08/31/13
ABC-095	Office	4,553	18.0	6,834	\$1.50	\$82,008	Expires 08/31/17
ABC-059	Office	2,615	6.0	3,217	\$1.23	\$38,604	Expires 08/31/15
ABC-095	Tax Booth			550		\$6,600	Expires 08/31/15
ABC-081p	Tax Booth	24	2.5	450	\$18.75	\$5,400	Month to Month
ABC-049	Tax Office	374	10.5	4,500	\$12.03	\$54,000	Expires 08/31/17
	Office	1916	9.0	2,874	\$1.50	\$34,488	Expires 08/31/13
ABC-303-9918-e9a	Office	426	2.0	407	\$0.96	\$4,884	Expires 07/31/19
ABC-076	Office	5,854	35.0	11,347	\$1.94	\$136,164	Expires 11/30/14
ABC-096	Office	1,660	5.0	2,208	\$1.33	\$26,496	Expires 08/31/14
ABC-068	Office	2,770	13.0	3,352	\$1.21	\$40,224	Expires 8/31/16
ABC-067	Office	1,810	4.0	1,270	\$0.70	\$15,240	Expires 08/31/18

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**SCHEDULE 5D
SPACE OCCUPIED – FEDERAL LEASE AGREEMENTS
As of August 31, 2013**

The Commission holds the following license agreements for lease space at bridge sites into Mexico. General Services Administration of the Federal Government issues the licenses.

LICENSE NUMBER	LOCATION	MONTHLY FEE	LEASE EXPIRES
S07B(S)2271/ATX08022	Anzalduas	\$ 1,055.00	11/30/2014
GS07B(S)1624	Brownsville (Gateway)	\$ 65.00	00/00/00
GS07B(S)1625	Brownsville (Railroad)	\$ 65.00	00/00/00
GS07B(S)2055	Brownsville (Los Tomates)	\$ 332.00	00/00/00
GS07B(S)1623	Del Rio Bridge	\$ 524.00	5/1/2015
GS07B(S)2156	Los Indios	\$ 214.00	00/00/00
GS07B(S)1622	Eagle Pass Bridge I	\$ 142.00	00/00/00
GS07B(S)2063	El Paso (Bridge of the Americas)	\$ 441.00	00/00/00
GS07B(S)2062	El Paso (Paso Del Norte)	\$ 1,796.00	5/1/2015
GS07B(S)2066	Laredo (Juarez-Lincoln)	\$ 309.00	00/00/00
GS07B(S)1626	Laredo (Gateway-GSA)	\$ 210.00	00/00/00
GS07B(S)1426	Laredo (Gateway-TABC)	\$ 54.00	00/00/00
GS07B(S)1672	Pharr Bridge (GSA)	\$ 176.00	00/00/00
GS07B(S)1655	Roma Bridge	\$ 120.00	00/00/00
GS07B(S)1656	Ysleta Bridge	\$ 408.00	00/00/00

Note: 00/00/00 designates a perpetual lease

The above license agreements allow the Commission to operate at federal sites. The monthly fee is based on the cost of utilities, new construction amortization and/or rental fees associated with providing space to the agency by the General Services Administration. The fees may be adjusted based on increases in utility, maintenance, and construction costs.

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)**SCHEDULE 6
EXCEPTION LETTERS****For the Fiscal Year Ended August 31, 2013**

During the fiscal year ended August 31, 2013, the Texas Alcoholic Beverage Commission prepared the following exception letters.

Vendor	Product	Justification	Amount
Iron Data Solutions, Inc.	Annual Software Maintenance	The attached purchase order will provide Annual Maintenance services for the Iron Data Software products. In 2005 TABC implemented a suite of configurable licensing products from Versa Management Systems (now known as Iron Data) to address the unique requirements of alcohol regulation in Texas. These implemented products were heavily customized by Versa to adapt to TABC's specific needs and have been used to support TABC's licensing activities for over 8 years. In addition, TABC requires other maintenance services from Iron Data under the Change Control process and may be provided on a time and material basis or a fixed fee basis. Iron Data Solutions is recommended, due to their reputation with the system, past performance, institutional knowledge, experience, responsibility and demonstrated capability to provide reliable support they are the best value for TABC and the State of Texas.	\$149,318.00
Informa Systems	Learning Management Systems	InformaStream, our combined Learning Management System, authoring tool and Texas state reporting system, has unique features which are not provided by any other solution. Specifically, InformaStream provides the ability to submit the Texas Alcoholic Beverage Commission training records to the Texas Commission on Law Enforcement Officers Standards and Education (TCLEOSE) database using the Texas Commission on Law Enforcement Data Distribution System (TCLEDDS) protocol. InformaStream provides a customizable Field Training Officer (FTO) program tracking system that is integrated with the Learning Management System. InformaStream provides the ability to track officers both by their employee number and also by their Texas state reporting ID (PID). InformaStream provides the ability to create work plans that satisfy the TCLEOSE recertification requirements for mandated and optional training.	\$58,214.50
Houston Liquid Assets	Liquor Storage	The attached purchase order is for the storage and warehousing of confiscated liquor seized by the TABC Enforcement Division. TABC contacted local vendors for storage facilities that could warehouse perishable items in a controlled environment and could not locate any with the required constraints, one of which was immediate access.	\$5,400.00

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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 7

VEHICLE PURCHASES

For the Fiscal Year Ended August 31, 2013

During fiscal year 2013, the agency purchased 16 replacement vehicles.

Make & Model	Quantity	Purchase Price	Efficiency	Assigned Use
2014 Ford Sedan Law Enforcement Vehicle	16	\$407,709.60	18-21 MPG	Law Enforcement

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**SCHEDULE 8
SCHEDULE OF STATE-OWNED VEHICLES
For the Fiscal Year Ended August 31, 2013**

Vehicles Assigned to Peace Officers

A Texas Alcoholic Beverage Commission vehicle is assigned to all agency commissioned peace officers. The officers assigned vehicles are subject to call twenty-four hours a day, and their duties may require immediate response to situations affecting the safety and wellbeing of the citizens of this state.

Austin Headquarters Vehicle Assignments

Listed below are the names and positions of personnel assigned to the Austin headquarters whose duties require the assignment of a state vehicle on a full-time basis. All are commissioned peace officers.

Department: Name, Title	Description
<p>Executive: Sherry Cook, Administrator</p> <p>Field Operations: Robert Saenz, Chief Earl Pearson, Assistant Chief Dexter Jones, Assistant Chief Ronald Swenson, Captain Darryl Darnell, Lieutenant Marvin Montero, Lieutenant</p> <p>Office of Professional Responsibility: Andres Pena, Director John Reney, Investigator</p> <p>Training Alberto Rodriguez, Lieutenant Phil Gardiner, Agent Bruce Harlan, Training Specialist</p>	<p>Vehicle assignments to headquarters personnel are limited to commissioned peace officers. Officers are subject to call twenty-four hours a day and job duties may require immediate response to situations affecting the safety and wellbeing of the public and the effective administration of the agency. Other employees may use agency pool vehicles that are properly marked for business related travel. There are approximately 30 employees that use a pool vehicle on a regular basis.</p>

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

SCHEDULE 9

SCHEDULE OF RECYCLED, REMANUFACTURED AND ENVIRONMENTALLY SENSITIVE PURCHASES

For the Fiscal Year Ended August 31, 2013

FY 2013 Agency Report of Recycled, Remanufactured and Environmentally Sensitive Purchases	
Agency No. 458	Agency Name: Texas Alcoholic Beverage Commission
Point of Contact:	Domingo Lugo, Purchasing Manager
Phone Number:	(512) 206-3264
E-Mail Address:	domingo.lugo@tabc.state.tx.us

E1, E2, or E3	Description	Non-Delegated	Delegated	Total
Total E1 Including 1 st Choice	Recycled	\$30,000.95	\$0	\$30,000.95
Total E2 Including 1 st Choice	Remanufactured	\$0	\$0	\$0
Total E3 Including 1 st Choice	Environmentally Sensitive	\$0	\$0	\$0
Total of E1, E2, and E3 includes Recycled 1st Choice Targeted Totals		\$30,000.95	\$0	\$30,000.95

Non-Delegated FY 2013 1st Choice Targeted Commodities	Expenditures			% Spent on 1st Choice Products 100* [A/(A+B)]
	1 st Choice Products (A)	Virgin Counterpart (B)	Total (A+B)	
Motor Oil & Lubricants	\$0	\$0	\$0	0%
Toilet Paper, Toilet Seat Covers & Paper Towels	\$1,804.71	\$0	\$1,804.71	100%
Printing Paper, Copier Paper, & Computer Paper	\$25,368.04	\$0	\$25,368.04	100%
Business Envelopes	\$4,632.91	\$0	\$4,632.91	100%
Plastic Trash Bags	\$0	\$0	\$0	0%
Plastic Cover Binders	\$503.68	\$0	\$503.68	100%
Recycling Containers	\$0	\$0	\$0	0%
Photocopiers	\$0	\$0	\$0	0%
Total 1st Choice Targeted Commodities	\$32,309.34	\$0	\$32,309.34	100%

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SCHEDULE 9 (Continued)

* Delegated Summary of Total Number of Justification Letters	Exception (1) Cost	Exception (2) Quality	Exception (3) Not Available	Exception (4) Other
Motor Oil & Lubricants	0	0	0	0
Toilet Paper, Toilet Seat Covers & Paper Towels	0	0	0	0
Printing Paper, Copier Paper, & Computer Paper	0	0	0	0
Business Envelopes	0	0	0	0
Plastic Trash Bags	0	0	0	0
Plastic Covered Binders	0	0	0	0
Recycling Containers	0	0	0	0
Photocopiers	0	0	0	0
Total Number(s)	0	0	0	0

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II. ADDENDA

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II. ADDENDA

Addendum A	Organization of the Texas Alcoholic Beverage Commission
Addendum B	Organizational Chart
Addendum C	Service Efforts and Accomplishments
Addendum C.1	Service Efforts and Accomplishments – Licensing
Addendum C.2	Service Efforts and Accomplishments – Tax
Addendum C.3	Service Efforts and Accomplishments – Field Operations
Addendum C.4	Service Efforts and Accomplishments – Education & Prevention
Addendum D	Contested Administrative Case Activity
Addendum E	Wet-Dry Status of Texas Counties
Addendum F	Local Option Elections
Addendum G.1	Detail Statement of Collections
Addendum G.2	Per Capita Consumption
Addendum G.3	Historical Summary of Revenue Collections

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM A

ORGANIZATION OF THE TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

For the Fiscal Year Ended August 31, 2013

Created as the Texas Liquor Control Board by H.B. 77, 44th Legislature, 2nd Called Session (1935), this Commission was organized and began functioning on November 16, 1935. The Texas Liquor Control Board remained the Commission's name until January 1, 1970, when H.B. 379, 61st Legislature, Regular Session (1969), became effective, redesignating its title to Texas Alcoholic Beverage Commission (the Commission).

The Commission is charged with the administration and enforcement of the Texas Alcoholic Beverage Code. As described in Title 2, Chapter 5, Subchapter B of the Alcoholic Beverage Code, the powers and duties of the Commission are as follows:

"Sec. 5.31. GENERAL POWERS AND DUTIES. The Commission may exercise all powers, duties and functions conferred by this code, and all powers incidental, necessary, or convenient to the administration of this code. It shall inspect, supervise, and regulate every phase of the business of manufacturing, importing, exporting, transporting, storing, selling, advertising, labeling and distributing alcoholic beverages, and the possession of alcoholic beverages for the purpose of sale or otherwise. It may prescribe and publish rules necessary to carry out the provisions of this code."

Article IX, Section 5.09 of the Appropriations Act adopted by the 82nd Legislature authorizes per diem for Commission members consisting of compensatory per diem at \$30 per day; actual expenses for meals and lodging at the rates specified in the Act for state employees; and transportation reimbursement at the rates specified in the Act for state employees.

The Commission members serving on August 31, 2013, are listed below:

Name	Designated Headquarters	Term Expires*
Jose Cuevas, Jr., Presiding Officer	Midland, TX	11-15-2015
Steven M. Weinberg, MD, JD Member	Colleyville, TX	11-15-2017
Melinda S. Fredricks, Member	Conroe, TX	11-15-2013

*Commissioners continue to service following the expiration of their terms until replaced by the Governor.

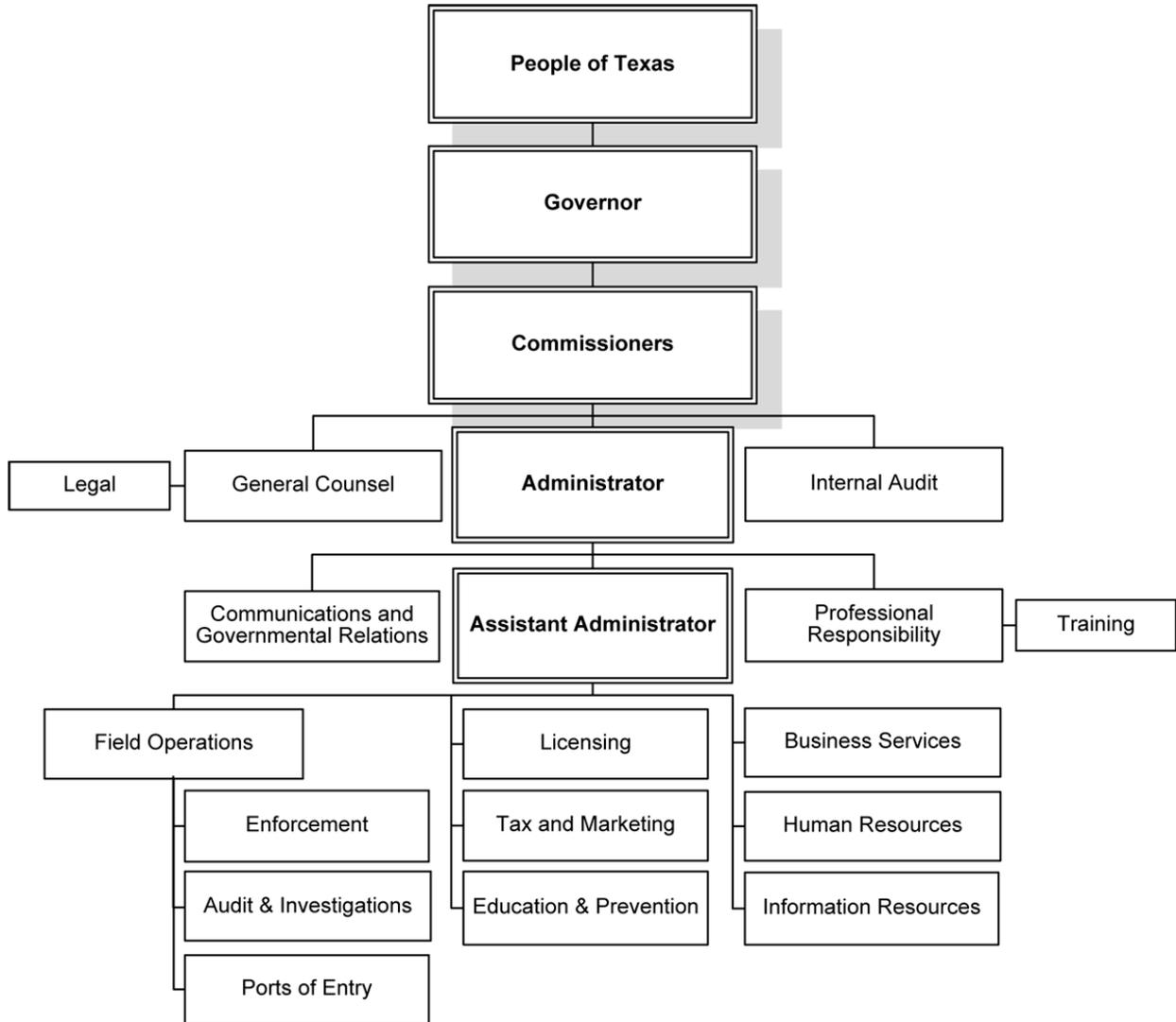
ADDENDUM A (Continued)

An Administrator, who is appointed by the Commissioners, is responsible for managing the Commission's daily operations. Ms. Sherry Cook of Bastrop was named Administrator by the Commission on July 1, 2012. The Commission's key personnel as of August 31, 2013, are listed below:

Name	Title
Sherry Cook	Administrator
Ed Swedberg	Assistant Administrator
Robert Saenz	Chief of Field Operations
Emily Helm	General Counsel
Amy Harrison	Director – Licensing Division
Steve Greinert	Director – Tax Division and Label Approval Division
Shelby Eskew	Director – Business Services Division
Jay Webster	Director – Information Resources Division
Loretta Doty	Director – Human Resources Division
Carolyn Beck	Director – Communications & Governmental Relations
Andres Pena, Jr.	Director – Office of Professional Responsibility
Mindy Carroll	Director – Education & Prevention Division
Karen Smithwick	Director – Ports of Entry Division
Dexter Jones	Assistant Chief - Field Operations (Auditing & Investigations)
Earl Pearson	Assistant Chief - Field Operations (Enforcement)
Thomas Graham	Marketing Practices Supervisor

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**ADDENDUM B
ORGANIZATIONAL CHART
For Fiscal Year Ended August 31, 2013**



TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**ADDENDUM C
SERVICE EFFORTS AND ACCOMPLISHMENTS
For the Fiscal Year Ended August 31, 2013**

For the Fiscal Years Ending
August 2012 August 2013

A. Goal: REGULATE DISTRIBUTION

To protect the peace and safety of the public by taking positive steps to encourage voluntary compliance with the Texas Alcoholic Beverage Code and other state laws and by under taking enforcement and regulatory actions that are fair and effective.

Outcomes:

Percentage of Licensed Establishments Inspected Annually	80.93%	86.08%
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A.1.1 Strategy:

Deter and detect violations of the Alcoholic Beverage Code by inspecting licensed establishments, by investigating complaints and by providing or sponsoring educational programs that promote voluntary compliance and increase the public's awareness of the state's alcoholic beverage laws.

Outputs:

Number of Inspections Made	71,766	74,305
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Efficiencies:

Average Cost per Inspection	\$268.86	\$258.45
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B. Goal: PROCESS TABC APPLICATIONS

Process alcoholic beverage license/permit applications and issue licenses/permits while ensuring compliance with the Alcoholic Beverage Code.

B.1.1.Strategy: ENSURE LAW COMPLIANCE

Issue licenses and permits while ensuring compliance with laws regarding ownership, performance, tax securities, and other regulatory requirements.

Outputs:

Number of Licenses/Permits Issued	74,145	60,988
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Efficiencies:

Average Cost Per License/Permit Processed	46.19	\$55.36
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ADDENDUM C (Continued)

For the Fiscal Years Ending
August 2012 August 2013

C. Goal: COLLECT FEES AND TAXES

To ensure compliance with the Alcoholic Beverage Code in the manufacturing, importing, exporting, transporting, storing, selling, serving, and distributing of alcoholic beverages.

C.2.1.Strategy: PORTS OF ENTRY

Identify high traffic loads and strategically place personnel or equipment at ports of entry to more effectively regulate the personal importation of alcoholic beverages and cigarettes.

Outputs:

Number of Alcoholic Beverage Containers and Cigarette Packages Stamped	1,783,892	1,524,925
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TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)**ADDENDUM C.1
SERVICE EFFORTS AND ACCOMPLISHMENTS
For the Fiscal Year Ended August 31, 2013**

During FY 2013, the following alcoholic beverage permits and licenses were issued:

Liquor Permits:

Agent's Permit	8,975
Airline Beverage Permit	13
Beverage Cartage Permit	4,318
Bonded Warehouse Permit	5
Brewer's Permit	34
Carrier's Permit	314
Caterer's Permit	962
Daily Temporary Mixed Beverage Permit	1,081
Daily Temporary Private Club Permit	115
Direct Shippers Permit - Out of State Winery	659
Distiller's and Rectifier's Permit	23
Food & Beverage Certificate	4,050
Forwarding Center Certificate	8
General Class B Wholesaler's Permit	23
Industrial Permit	54
Local Cartage Permit	268
Local Cartage Transfer Permit	2
Local Class B Wholesaler's Permit	1
Local Distributor's Permit	188
Local Industrial Alcohol Manufacturer's Permit	5
Manufacturer's Agent's Permit	657
Minibar Permit	36
Mixed Beverage Late Hours Permit	4,361
Mixed Beverage Permit	6,199
Mixed Beverage Restaurant with FB	1,446
Non Resident Brewer's Permit	90
Non Resident Seller's Permit	762
Package Store Permit	591
Package Store Tasting Permit	434
Passenger Train Beverage Permit	1
Private Carrier's Permit	248
Private Club Beer and Wine Permit	32
Private Club Exemption Certificate Permit	200
Private Club Late Hours Permit	187
Private Club Registration Permit	536
Private Storage Permit	12
Promotional Permit	47
Public Storage Permit	8

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ADDENDUM C.1 (Continued)

Wholesaler's Permit	48
Wine Bottler's Permit	3
Wine Only Package Store Permit	598
Winery Festival Permit	115
Winery Permit	172
Total Liquor Permits	37,881

Beer Licenses and Wine and Beer Retailer's Permits:

Agent's Beer License	9,265
Beer Retail Dealer's Off-Premise License	1,202
Beer Retail Dealer's On-Premise License	215
Branch Distributor's License	5
Brewpub License/Permit	22
General Distributor's License	15
Importer's Carrier's License	5
Importer's License	18
Manufacturer's License	14
Non Resident Manufacturer's License	83
Retail Dealers On-Premise Late Hours License/Permit	503
Temporary Charitable Auction Permit	202
Temporary License	2,129
Temporary License Special 3 Day Wine & Beer	2,027
Temporary License Special 4 Day Wine & Beer	15
Wine and Beer Retailer's Off-Premise Permit	5,129
Wine and Beer Retailer's Permit	2,258
Total Beer Licenses and Wine and Beer Retailer's Permits	23,107

Total Licenses and Permits Issued

74,145

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)**ADDENDUM C.2****SERVICE EFFORTS AND ACCOMPLISHMENTS – TAX DIVISION****For the Fiscal Year Ended August 31, 2013**

The agency's Tax Division consists of three units— Excise Tax Reporting, Marketing Practices, and Label Approvals & Chemical Analyses.

EXCISE TAX REPORTING

The Excise Tax Reporting unit is responsible for processing and reviewing excise tax payments and reports as well as other reports that are periodically due from members of the wholesale and manufacturing tiers of the alcoholic beverage industry. In FY 2013, assigned personnel processed \$205,017,176 in excise tax and service fee revenues and reviewed 55,810 tax and non-tax reports during the fiscal year. These reviews were conducted to verify the accuracy of the reports received and resulted in the collection of \$174,445 in tax underpayments and late fees.

Excise Tax Rates on Alcoholic Beverages

Type of Alcoholic Beverage	Tax Rate
Distilled Spirits	\$ 2.40 per gallon
Wine containing alcohol not more than 14% by volume	\$ 0.204 per gallon
Wine containing alcohol over 14%, but not more than 24% by volume	\$ 0.408 per gallon
Sparkling Wine	\$ 0.516 per gallon
Malt Liquor containing alcohol in excess of 4% by weight	\$ 0.198 per gallon
Beer containing not more than 4% alcohol by weight	\$ 6.00 per barrel

Revenue Collections

(These revenue figures do not include Ports of Entry Excise Stamp Sales)

Type of Revenue	Amount Collected
Excise Tax - Distilled Spirits	\$74,656,114
Excise Tax - Wine	13,125,118
Excise Tax - Malt Liquor	12,998,537
Excise Tax - Beer	103,642,500
Subtotal	\$204,422,269
Airline/Train Service Fees & Direct Liquor Tax	\$319,362
Excise Tax - Collections from Report Verifications	174,445
Private Club Temporary Membership Fees	101,100
Total Collections – All Taxes & Fees	\$205,017,176

MARKETING PRACTICES

The Marketing Practices Section aids in the enforcement of laws regulating the marketing of alcoholic beverage products and marketing relationships among alcoholic beverage retailers, wholesalers, and manufacturers. During FY 2013, as part of his duties, the Marketing Practices Supervisor reviewed 179 advertising proposals submitted by various members of the alcoholic beverage industry and approved 137 of those proposals.

ADDENDUM C.2 (Continued)

LABEL APPROVALS & CHEMICAL ANALYSES

This unit processes and approves applications for product label approval and conducts product chemical testing as required for evidentiary purposes. During FY 2013, agency personnel reviewed and took action on product label applications as follows:

Labels Approved for Malt Beverages	3,637
Labels Approved for Distilled Spirits	2,783
Labels Approved for Wine	12,717
Total, All Approved Labels	19,137
Disapproved Labels	352

The unit's chemist also conducted various analyses on beverage samples submitted for testing during FY 2013. A summary of analyses conducted and determinations made is as follows:

Number of analytical determinations made:	
Distilled Spirits	5
Malt Liquor	488
Beer	155
Miscellaneous	197
Total analytical determinations made	845

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM C.3

SERVICE EFFORTS AND ACCOMPLISHMENTS – FIELD OPERATIONS

For the Fiscal Year Ended August 31, 2013

The largest and most visible of the agency's operating units, the Field Operations Division is responsible for field enforcement of Texas laws regulating the manufacture, importation, transportation, and sale of alcoholic beverages. Division personnel also are also key participants in the agency's prevention and public education initiatives, providing most of the instructors and presenters needed for these programs and ensuring statewide distribution of related informational materials.

The Field Operations Division is managed by the Chief of Field Operations, an Assistant Chief for Law Enforcement, an Assistant Chief for Auditing & Investigations, and a Director of Ports of Entry. The Law Enforcement arm of Field Operations consists of 246 commissioned peace officers, including the Assistant Chief, and an administrative support staff of 21. The division's Auditing & Investigations arm consists of 67 auditors, six peace officers assigned to the division's Special Investigations Unit, a six-person administrative support staff, a Director of Auditing, and an Assistant Chief. In addition to its Director and one administrative support person, division's Ports of Entry group employs 106 Tax Compliance Officers, all of whom are currently stationed at various border crossings along the state's border with Mexico.

LAW ENFORCEMENT OPERATIONS

**ORGANIZATIONAL STRUCTURE –
LAW ENFORCEMENT OPERATIONS**

For the purposes of law enforcement operations, the Field Operations Division has divided the state into five districts. Each district is, dependent upon staffing, supervised by either a captain or major who oversees all law enforcement operations within the district. One or more lieutenants and a number of sergeants assist the Captain or Major in the day-to-day management of law enforcement operations.

Other personnel are assigned to each region and district on the basis of need, with need largely defined by the number of licensed premises located within the geographic confines of the district.

Listed below are the agency's Law Enforcement Districts, the counties that are served by each, and the offices from which those counties are served.

District 1 – Lubbock

Personnel stationed in Abilene, Amarillo, Lubbock, Odessa, and San Angelo.

District comprised of the following counties: Andrews, Armstrong, Bailey, Borden, Briscoe, Brown, Callahan, Carson, Castro, Childress, Cochran, Coke, Coleman, Collingsworth, Comanche, Concho, Cottle, Crane, Crockett, Crosby, Dallam, Dawson, Deaf Smith, Dickens, Donley, Eastland, Ector, Fisher, Floyd, Foard, Gaines, Garza, Glasscock, Gray, Hale, Hall, Hansford, Hardeman, Hartley, Haskell, Hemphill, Hockley, Howard, Hutchinson, Irion, Jones, Kent, Kimble, King, Knox, Lamb, Lipscomb, Loving, Lubbock, Lynn, Martin, McCulloch, Menard, Midland, Mitchell, Moore, Motley, Nolan, Ochiltree, Oldham, Parmer, Potter, Randall, Reagan, Roberts, Runnels, Schleicher, Scurry, Shackelford, Sherman, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terry, Tom Green, Upton, Ward, Wheeler, Winkler, and Yoakum.

District 2 – Arlington

Personnel stationed in Arlington, Belton, Cleburne, Denton, Greenville, Longview, McKinney, Mount Pleasant, Sherman, Waco, and Wichita Falls.

ADDENDUM C.3 (Continued)

District comprised of the following counties: Anderson, Archer, Baylor, Bell, Bosque, Bowie, Camp, Cass, Cherokee, Clay, Collin, Cooke, Coryell, Dallas, Delta, Denton, Ellis, Erath, Falls, Fannin, Franklin, Freestone, Grayson, Gregg, Hamilton, Harrison, Henderson, Hill, Hood, Hopkins, Hunt, Jack, Johnson, Kaufman, Lamar, Lampasas, Limestone, Marion, McLennan, Mills, Montague, Morris, Navarro, Palo Pinto, Panola, Parker, Rains, Red River, Rockwall, Rusk, Smith, Somervell, Tarrant, Throckmorton, Titus, Upshur, Van Zandt, Wichita, Wilbarger, Wise, Wood, and Young.

District 3 – Houston

Personnel stationed in Beaumont, Brazoria, Bryan, Conroe, Dickinson, Houston, Huntsville, Lufkin, Richmond, and Wharton.

District comprised of the following counties: Angelina, Austin, Brazoria, Brazos, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Robertson, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, Waller, Washington, and Wharton.

District 4 – Austin

Personnel stationed in Austin, Georgetown, Llano, and San Marcos.

District comprised of the following counties: Bastrop, Blanco, Burleson, Burnet, Caldwell, Fayette, Gillespie, Hays, Lee, Llano, Mason, Milam, San Saba, Travis, and Williamson.

District 5 – San Antonio

Personnel stationed in Corpus Christi, El Paso, Fort Davis, Hondo, Laredo, McAllen, New Braunfels, San Antonio, San Benito, Uvalde, and Victoria.

District comprised of the following counties: Aransas, Atascosa, Bandera, Bee, Bexar, Brewster, Brooks, Calhoun, Cameron, Comal, Culberson, DeWitt, Dimmit, Duval, Edwards, El Paso, Frio, Goliad, Gonzales, Guadalupe, Hidalgo, Hudspeth, Jackson, Jeff Davis, Jim Hogg, Jim Wells, Karnes, Kendall, Kenedy, Kerr, Kinney, Kleberg, La Salle, Lavaca, Live Oak, Maverick, McMullen, Medina, Nueces, Pecos, Presidio, Real, Reeves, Refugio, San Patricio, Starr, Terrell, Uvalde, Val Verde, Victoria, Webb, Willacy, Wilson, Zapata, and Zavala.

ENFORCEMENT AGENT ACTIVITIES IN FY 2013

During the course of FY 2013, enforcement agents conducted 74,305 inspections in order to verify compliance with the state's alcoholic beverage laws. Of these, 71,106 involved licensed business. The remainder targeted unlicensed locations. 21,824 compliance checks were conducted at "priority" locations, licensed business with a past history of public safety related violations or complaints. The compliance rate for inspections of all licensed business (percent of inspections during which no violations were found) was 95.8 percent. The compliance rate for inspections of priority locations was 93.2 percent.

In addition to inspections, agents also conducted and completed 5,790 complaint investigations involving 9,141 alleged violations of state alcoholic beverage laws. The allegations investigated came from the general public, elected officials, other public agencies, agency licensees, and even the agency's own employees. While a good-faith effort was made to substantiate each allegation, only 32.8 percent of the investigations resulted in the discovery of chargeable violations.

ADDENDUM C.3 (Continued)

**ADMINISTRATIVE ENFORCEMENT ACTIONS INITIATED
BY ENFORCEMENT AGENTS IN FY 2013**

Enforcement agents issued 1,650 warnings and filed 2,237 cases for administrative violations of the Alcoholic Beverage Code in FY 2013. Of the cases filed, 1,973 have been docketed to date (September 30, 2013). Of the docketed cases, 123 cases are yet to be resolved, 423 have been “restrained” as per the requirements of Section 106.14 of the Texas Alcoholic Beverage Code, 1,294 have resulted in suspension of licensing privileges or payment of civil penalties in lieu of suspension, and 94 have resulted in cancellation. Civil penalty payments received to date as a consequence of the administrative cases filed by Enforcement agents in FY 2013 total to \$1,891,700.

Docketed Enforcement Administrative Cases Originating in FY 2013	
Pending (No Disposition)	123
Restrained (Section 106.14)	423
Suspension or Civil Penalty Payment	1,294
Cancellation	94
Dismissed	27
Other Dispositions	12
Total Docketed Cases	1,973

**CRIMINAL ENFORCEMENT ACTIONS INITIATED
BY ENFORCEMENT AGENTS IN FY 2013**

Enforcement agents issued 456 criminal warnings in FY 2013 and filed 3,012 criminal cases.

STILL SEIZURES

TABC agents seized four (4) stills in FY 2013. The details are as follows:

On March 5, 2013, TABC agents seized a still with a 300 gallon cooker capacity in Angelina County, Texas. No mash was found at the site, but 150 gallons of moonshine whiskey was seized and destroyed.

On April 10, 2013, TABC agents seized a still with two cookers, each with capacity of 15.5 gallons, in Upshur County, Texas. No mash or moonshine whiskey were found at the site.

On May 18, 2013, TABC agents seized a still with 15.5 gallon capacity in Tarrant County, Texas. No mash was found at the site, but 10 gallons of moonshine whiskey were seized and destroyed.

On August 3, 2013, TABC agents seized a still with a 30 gallon capacity in Marion County, Texas. 30 gallons of mash were seized and destroyed. However, no moonshine whiskey was found.

ADDENDUM C.3 (Continued)

AUDITING & SPECIAL INVESTIGATIONS OPERATIONS

**ORGANIZATIONAL STRUCTURE – AUDITING
& INVESTIGATIONS OPERATIONS**

The agency also has five Auditing/Investigations Districts. As seen below, these districts share major offices and common names with the agency's Law Enforcement districts, but their boundaries are somewhat different due to the geographic distribution of auditable accounts and certain types of other licensed businesses.

Financial and regulatory compliance operations in each district are overseen by a Supervising Auditor who reports to the agency's Director of Auditing. The Director of Auditing, in turn, reports to the Assistant Chief for Auditing & Investigations. Auditors are assigned to the various districts based on need, with need defined by the number and geographic distribution of auditable accounts and other licensed businesses. To help oversee the activities of the assigned auditors, the four largest districts with the largest number of auditors also have an Assistant Supervising Auditor.

The six peace officers and three auditors assigned to the Special Investigations & Financial Crimes Units are stationed in various agency offices across the state and work together, often in conjunction with local, federal, and other state law enforcement agencies, investigate allegations of organized criminal activity on licensed premises. SIU/FCU investigators report to a Captain and Supervising Auditor, who, in turn, report directly to the Assistant Chief for Auditing & Investigations.

The SIU/FCU units were not organized until the latter part of FY 2013, and were not yet fully staffed when the fiscal year ended.

The agency's Auditing/Investigations districts, the counties that are served by each, and the offices from which those counties are served are listed below.

District 1 – Lubbock

Personnel stationed in Abilene, Amarillo, Longview, Lubbock, Odessa, and Waco.

District comprised of the following counties: Anderson, Andrews, Armstrong, Bailey, Bell, Borden, Bosque, Bowie, Briscoe, Brown, Callahan, Camp, Carson, Cass, Castro, Cherokee, Childress, Cochran, Coke, Coleman, Collingsworth, Comanche, Concho, Coryell, Cottle, Crane, Crockett, Crosby, Dallam, Dawson, Deaf Smith, Delta, Dickens, Donley, Eastland, Ector, Falls, Fisher, Floyd, Foard, Franklin, Freestone, Gaines, Garza, Glasscock, Gray, Gregg, Hale, Hall, Hamilton, Hansford, Hardeman, Harrison, Hartley, Haskell, Hemphill, Henderson, Hill, Hockley, Hopkins, Howard, Hutchinson, Irion, Jones, Kent, Kimble, King, Knox, Lamar, Lamb, Lampasas, Limestone, Lipscomb, Loving, Lubbock, Lynn, Marion, Martin, McCulloch, McLennan, Menard, Midland, Mills, Mitchell, Moore, Morris, Motley, Navarro, Nolan, Ochiltree, Oldham, Panola, Parmer, Potter, Rains, Randall, Reagan, Red River, Roberts, Runnels, Rusk, Schleicher, Scurry, Shackelford, Sherman, Smith, Stephens, Sterling, Stonewall, Sutton, Swisher, Taylor, Terry, Titus, Tom Green, Upshur, Upton, Ward, Wheeler, Winkler, Wood, and Yoakum.

District 2 – Arlington

Personnel stationed in Arlington.

District comprised of the following counties: Archer, Baylor, Clay, Collin, Cooke, Dallas, Denton, Ellis, Erath, Fannin, Grayson, Hood, Hunt, Jack, Johnson, Kaufman, Montague, Palo Pinto, Parker, Rockwall, Somervell, Tarrant, Throckmorton, Van Zandt, Wichita, Wilbarger, Wise, and Young.

ADDENDUM C.3 (Continued)

District 3 – Houston

Personnel stationed in Beaumont, Bryan, Conroe, Houston, Lufkin, and Richmond.

District comprised of the following counties: Angelina, Austin, Brazoria, Brazos, Chambers, Colorado, Fort Bend, Galveston, Grimes, Hardin, Harris, Houston, Jasper, Jefferson, Leon, Liberty, Madison, Matagorda, Montgomery, Nacogdoches, Newton, Orange, Polk, Robertson, Sabine, San Augustine, San Jacinto, Shelby, Trinity, Tyler, Walker, Waller, Washington, and Wharton.

District 4 – Austin

Personnel stationed in Austin, Corpus Christi, El Paso, San Marcos, and Victoria.

District comprised of the following counties: Aransas, Bastrop, Bee, Blanco, Brewster, Burleson, Burnet, Caldwell, Calhoun, Culberson, DeWitt, El Paso, Fayette, Gillespie, Goliad, Gonzales, Hays, Hudspeth, Jackson, Jeff Davis, Jim Wells, Kleberg, Lavaca, Lee, Live Oak, Llano, Mason, McMullen, Milam, Nueces, Pecos, Presidio, Reeves, Refugio, San Patricio, San Saba, Terrell, Travis, Victoria, Williamson.

District 5 – San Antonio

Personnel stationed in Laredo, McAllen, and San Antonio.

District comprised of the following counties: Atascosa, Bandera, Bexar, Brooks, Cameron, Comal, Dimmit, Duval, Edwards, Frio, Guadalupe, Hidalgo, Jim Hogg, Karnes, Kendall, Kenedy, Kerr, Kinney, La Salle, Maverick, Medina, Real, Starr, Uvalde, Val Verde, Webb, Willacy, Wilson, Zapata, and Zavala.

AUDITOR ACTIVITIES

Auditors performs a wide range of activities to fulfill its goal of ensuring compliance with the Alcoholic Beverage Code in the manufacturing, importing, exporting, transporting, storing, selling, serving, and distributing of alcoholic beverages. During FY 2013, Compliance auditors conducted 25,146 inspections of licensed or proposed businesses and performed 1,641 tax, fee, or records audits or analyses to ensure compliance with the state's alcoholic beverage regulations. As a result of these audits and analyses, auditors recovered \$40,686 in tax and fee delinquencies owed to the state. In addition, Auditors and other Compliance personnel also provided information or instruction related to the Alcoholic Beverage Code to 79,533 persons and processed 44,589 credit law and cash law notices of default.

**AUDITOR ADMINISTRATIVE
ENFORCEMENT ACTIONS**

During the course of their duties in FY 2013, Auditors issued 1,728 administrative warnings and filed 996 administrative cases for various violations of the Alcoholic Beverage Code. Of the administrative cases filed by auditors in FY 2013, 532 have been docketed to date (September 30, 2013). Sixteen (16) of these cases are yet to be resolved. As for the remainder, 477 resulted in suspension of licensing privileges or payment of civil penalties in lieu of suspension, eighteen (18) resulted in cancellation, and six (6) were dismissed. Fifteen (15) resulted in other dispositions. Civil penalty payments received to date as a consequence of administrative cases filed by Compliance in FY 2013 total to \$390,850.

ADDENDUM C.3 (Continued)

Docketed Compliance Administrative Cases Originating in FY 2013	
Pending (No Disposition)	16
Suspension or Civil Penalty Payment	477
Cancellation	18
Dismissed	6
Other Dispositions	15
Total Docketed Cases	532

Compliance personnel also initiated 254 summary suspensions of alcoholic beverage permits at the request of the Office of the Comptroller of Public Accounts for failure to pay or timely report state taxes collected by that agency. Summary suspensions were also initiated by Compliance for failure to maintain required tax bonds (54 ea.). In total, 308 summary suspensions were initiated by Compliance personnel in FY 2013.

PORTS OF ENTRY OPERATIONS

Personnel of the Ports of Entry Program monitor compliance with the personal importation laws of the State of Texas along the Texas-Mexico border. Taxpayer compliance officers with the program verify that persons importing alcoholic beverages meet all legal requirements regarding importation for personal consumption and collect the appropriate fees and taxes due. Through an agreement with the Comptroller of Public Accounts, Ports of Entry personnel are also responsible for determining compliance with the state laws governing the personal importation of cigarettes and the collection of any taxes due on these importations.

During Fiscal Year 2013, Ports of Entry taxpayer compliance officers stamped and collected taxes and fees for 1,524,925 alcoholic beverage and cigarette containers. In the course of these duties, tax compliance officers also confiscated and destroyed 21,288 alcoholic beverage and cigarette containers that were determined to have been imported in violation of state law. The containers were confiscated for the following reasons: Attempted importations by persons less than 21 years of age, attempted importations by intoxicated persons, importations in excess of legal limits, and refusal to pay the taxes and fees owed on the alcoholic beverage and/or tobacco products imported.

Program staffing is maintained through six Port of Entry districts offices, which, in turn, monitor 28 international crossings along the Texas-Mexico border. Personnel are assigned to 20 major crossings. The remaining eight crossings are considered low-volume and are monitored on a random basis to determine if traffic volume has increased and if full time staffing is warranted.

Employees collect an administrative fee of \$3.00 per container on personal importations of alcoholic beverages in addition to the excise taxes due on the alcoholic beverages imported. This administrative fee totaled \$3,309,498 for the 2013 fiscal year. Total gross revenue for the fiscal year from all fees and taxes collected for the personal importation of alcoholic beverages and cigarettes was \$4,658,305.

Detailed below are the total amounts of these fees and taxes collected by each port offices.

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ADDENDUM C.3 (Continued)

Brownsville	\$ 482,031
Eagle Pass	531,281
El Paso	665,998
Hidalgo	667,588
Laredo	1,323,612
Progresso	987,795
<hr/>	
Total	\$4,658,305

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM C.4

SERVICE EFFORTS AND ACCOMPLISHMENTS – EDUCATION & PREVENTION DIVISION

For the Fiscal Year Ended August 31, 2013

The agency's Education & Prevention Division consists three operating units—Grants, Program Development, and Seller Training,

GRANTS

The Grants section finds, secures, and manages grant funding for the agency's law enforcement, public information, and prevention education initiatives. During FY 2013, the Grants section developed and submitted five grant proposals, secured \$398,625.00 in awards as a result of two of those proposals, and oversaw \$1,315,000.00 in spending for grant related programs.

PROGRAM DEVELOPMENT

The Program Development section creates the materials and curriculum used in the agency's public information and prevention education programs. During FY 2013, unit personnel created new materials for six information/education initiatives. In FY 2013, 70 different promotional and educational items were created which resulted in 721,841 pieces being distributed statewide.

SELLER TRAINING

The Seller Training section oversees the activities of 95 private seller/server training schools that provides agency approved instruction to retail clerks and servers. In FY 2013, unit personnel reviewed 12 and approved 12 new seller training programs, licensed or relicensed 48 training entities, and oversaw the delivery of instruction to 326,431 Texas retail clerks and servers.

UNAUDITED

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

**ADDENDUM D
 CONTESTED ADMINISTRATIVE CASES -- CASES NOT SETTLED IN FIELD OFFICES
 AND REFERRED TO LEGAL SECTION
 For the Fiscal Year Ended August 31, 2013**

Month	Number of Cases Docketed	Number of Violations Charged	Number of Hearings	Civil Penalties Collected	Suspension Days Assessed
September 2012	33	40	6	\$6,900	0
October 2012	39	55	16	\$28,800	50
November 2012	28	38	5	\$68,400	56
December 2012	25	33	8	\$9,300	70
January 2013	30	40	8	\$44,100	0
February 2013	23	26	8	\$66,500	69
March 2013	27	33	8	\$17,700	14
April 2013	38	51	12	\$18,900	101
May 2013	42	61	9	\$25,500	150
June 2013	40	51	5	\$61,900	0
July 2013	43	54	7	\$53,500	106
August 2013	41	50	9	\$69,700	122
Total	409	532	101	\$471,200	738

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)**ADDENDUM E****WET-DRY STATUS OF TEXAS COUNTIES****For the Fiscal Year Ended August 31, 2013**

+The sale of mixed beverages is legal in all or part of county as is the sale of distilled spirits for off-premises consumption. (166)

+¹The sale of mixed beverages in restaurants by holders of FB certificates is legal in all or part of the county but the county is "dry" for the sale of distilled spirits for off-premises consumption. (9)

*County "wet" throughout for the sale of distilled spirits for off premises consumption (73). Note: 140 counties are "wet" in part for the sale of distilled spirits for off-premises consumption.

COUNTIES IN WHICH DISTILLED SPIRITS ARE LEGAL: 222

Anderson+	Colorado+*	Gillespie+	Johnson+	Montgomery+	Sherman+*
Angelina+ ¹	Comal+*	Goliad+*	Jones+	Moore+*	Smith+
Aransas+*	Comanche+	Gonzales+*	Karnes+*	Morris+	Star+*
Archer	Cooke+	Gray+	Kaufman+	Motley+	Stonewall
Armstrong*	Coryell+	Grayson+	Kendall+*	Nacogdoches	Sutton+*
Atascosa+	Cottle+*	Gregg+	Kenedy+*	Navarro+	Swisher
Austin+*	Crane*	Grimes+	Kerr+	Newton	Tarrant+
Bandera+	Crockett*	Guadalupe+*	Kimble*	Nolan+*	Taylor+
Bastrop+*	Crosby+*	Hale+	King	Nueces+*	Terrell*
Bee+	Culberson+*	Hall	Kinney+*	Ochiltree+*	Titus
Bell+	Dallam*	Hamilton+	Kleberg+*	Oldham+ ¹	Tom Green+
Bexar+*	Dallas+	Hansford+	Knox	Orange+	Travis+
Blanco+	Dawson+	Hardeman+*	Lamar+	Palo Pinto	Trinity*
Bosque+	Deaf Smith*	Hardin+	Lamb	Parker+	Tyler+ ¹
Bowie+ ¹	Denton+	Harris+	Lampasas+	Pecos+	Upshur
Brazoria+	DeWitt+	Harrison+	La Salle+*	Polk+	Upton*
Brazos+*	Dickens	Hartley	Lavaca+	Potter+	Uvalde+
Brewster+*	Dimmitt+*	Haskell+	Lee+*	Presidio+*	Val Verde+*
Briscoe	Donley+	Hays+	Leon+	Rains+	Victoria+*
Brooks+*	Duval+*	Henderson+	Liberty+	Randall+	Walker+
Brown+	Eastland+	Hidalgo+*	Live Oak+	Reagan*	Waller*
Burleson+	Ector+*	Hill+	Llano+	Red River	Ward*
Burnet+	Edwards	Hockley+	Lubbock+*	Reeves+*	Washington+*
Caldwell+	El Paso+*	Hood+	Lynn	Refugio*	Webb+*
Calhoun+	Ellis+	Hopkins+	Madison+ ¹	Robertson+	Wharton+*
Callahan+	Erath	Houston+ ¹	Marion+	Rockwall+	Wheeler+
Cameron+*	Falls+	Howard+	Matagorda+	Runnels+	Wichita+
Camp+	Fannin	Hudspeth+*	Maverick+	Rusk+ ¹	Wilbarger+*
Carson	Fayette+*	Hunt+	McCulloch+	Sabine+	Willacy+
Cass+	Floyd+	Hutchinson	McLennan+	San Augustine	Williamson+
Castro	Foard+*	Jack	Medina+	San Jacinto	Wilson+
Chambers+	Fort Bend+*	Jackson+	Menard*	San Patricio+	Winkler*
Cherokee+	Franklin+ ¹	Jasper+	Midland+*	San Saba+*	Wise+
Childress+*	Freestone+	Jeff Davis+	Milam+	Schleicher*	Wood+ ¹
Clay+	Frio+	Jefferson+	Mills	Scurry+*	Young
Coleman	Galveston+	Jim Hogg+*	Mitchell+*	Shackelford	Zapata+*
Collin+	Garza+	Jim Wells+	Montague+	Shelby	Zavala+*

ADDENDUM E (Continued)

IN WHICH ONLY 4% BEER IS LEGAL: 4

Some counties are only partially wet.

Baylor Irion Mason Stephens

COUNTIES IN WHICH 14% - 17% OR LESS ALCOHOLIC BEVERAGES ARE LEGAL: 15

Some counties are only partially wet.

Cochran Glasscock McMullen Terry
Coke Limestone Panola Van Zandt
Concho Lipscomb Real Yoakum
Gaines Loving Somervell

COUNTIES ENTIRELY DRY: 13

Andrews Fisher Roberts
Bailey Hemphill Sterling
Borden Kent Throckmorton
Collingsworth Martin
Delta Parmer

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM F

LOCAL OPTION ELECTIONS

For the Fiscal Year Ended August 31, 2013

During FY 2013, 73 local option elections were held for 57 Jurisdictions. 67 local option election issues were passed by voters, 6 failed. As a result of these elections, 26 jurisdictions became "wet" for the first time; 25 jurisdictions authorized additional sales or expanded the areas in which sales were authorized, and 6 jurisdictions retained the same wet/dry status that they had before the election.

Issues for which elections were held included the legal sale of beer and wine (3 ea.), the legal sale of beer and wine for off-premises consumption only (24 ea.), the legal sale of all alcoholic beverages for off-premises consumption only (16 ea.), the legal sale of all alcoholic beverages, including mixed beverages (14 ea.), and the legal sale of mixed beverages in restaurants by food and beverage certificate holders only (16 ea.).

In five cases where the ballot issue failed to pass, the issue was "the legal sale of all alcoholic beverages for off-premises consumption only." In the one remaining case where the ballot issue failed to pass, the issue was "the legal sale of all alcoholic beverages, including mixed beverage."

Elections Held November 6, 2012

An election was held for the City of Valley Mills, Bosque County, on November 6, 2012, on the issue of "the legal sale of beer and wine." The issue PASSED by a vote of 270 FOR and 105 AGAINST. The City of Valley Mills, Bosque County, was "dry" before the election and after the election is now "wet" for the sale of beer and wine.

An election was held for the City of Henrietta, Clay County, on November 6, 2012, on the issue of "the legal sale of all alcoholic beverages, including mixed beverages." The issue PASSED by a vote of 760 FOR and 211 AGAINST. The City of Henrietta, Clay County, was "dry" before the election and after the election is now "wet" for the sale of all alcoholic beverages, including mixed beverages.

An election was held for the City of Prosper, Collin and Denton Counties, on November 6, 2012, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue FAILED by a vote of 2,338 FOR and 2,507 AGAINST. the City of Prosper, Collin and Denton Counties, was "wet" only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants hold a food and beverage certificate before the election and after the election remains "wet" only for such sales.

An election was held for the City of Frisco, Collin and Denton Counties, on November 6, 2012, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue PASSED by a vote of 33,610 FOR and 9,290 AGAINST. Before the election, thanks to annexations, portions of the City of Frisco, Collin and Denton Counties, were "dry" for the sale of beer and wine for off-premises consumption. Now after the election, the City of Frisco, Collin and Denton Counties, is "wet" throughout for such sales.

An election was held for the City of Frisco, Collin and Denton Counties, on November 6, 2012, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue PASSED by a vote of 31,007 FOR and 11,755 AGAINST. Before the election, thanks to annexations, portions of the City of Frisco, Collin and Denton Counties, were "dry" for the sale of mixed beverages in restaurants with food and beverage certificates. Now after the election, the City of Frisco, Collin and Denton Counties, is "wet" throughout for such sales.

ADDENDUM F (Continued)

An election was held for the City of Gatesville, Coryell County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 1,357 FOR and 913 AGAINST. The City of Gatesville, Coryell County, was “wet” only in part for the sale of beer and wine for off-premises consumption before the election and after the election is now “wet” throughout for such sales.

An election was held for the City of Gatesville, Coryell County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 1,445 FOR and 828 AGAINST. The City of Gatesville, Coryell County, was “dry” for the sale of mixed beverages in restaurants with food and beverage certificates before the election and after the election is now “wet” for such sales.

An election was held for the City of Balch Springs, Dallas County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 2,172 FOR and 1,660 AGAINST. The City of Balch Springs, Dallas County, was “wet” only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants with food and beverage certificates before the election, and after the election is now also “wet” for the sale of all alcoholic beverages, including distilled spirits, for off-premises consumption only.

An election was held for the City of Cedar Hill, Dallas and Ellis Counties, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 10,692 FOR and 7,272 AGAINST. The City of Cedar Hill, Dallas and Ellis Counties, was “wet” only in part for the sale of mixed beverages before the election and after the election remains partially “wet” for such sales but is “wet” throughout for the sale of beer and wine for off-premises consumption.

An election was held for the City of Seagoville, Dallas and Kaufman Counties, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 1,495 FOR and 1,316 AGAINST. The City of Seagoville, Dallas and Kaufman Counties, was “wet” only for the sale of mixed beverages in restaurants holding food and beverage certificates before the election and after the election is now also “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Aubrey, Denton County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 546 FOR and 326 AGAINST. Before the election, the City of Aubrey, Denton County, was “wet” only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants with food and beverage certificates. Now after the election, the City of Aubrey, Denton County is “wet” for all alcoholic beverage sales, including the sale of mixed beverages.

An election was held for the City of Sanger, Denton County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 1,181 FOR and 725 AGAINST. Before the election, the City of Sanger, Denton County, was “wet” only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants holding a food and beverage certificate. After the election, the City of Sanger, Denton County, remains “wet” for such sales but is now also “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for Justice of the Peace Precinct 4, Eastland County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 1,607 FOR and 1,123 AGAINST. Justice of the Peace Precinct 4, Eastland County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

ADDENDUM F (Continued)

An election was held for Justice of the Peace Precinct 4, Eastland County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 1,687 FOR and 1,059 AGAINST. Justice of the Peace Precinct 4, Eastland County, was “dry” before the election and after the election is now “wet” for the sale of mixed beverages in restaurants hold food and beverage certificates.”

An election was held for the City of Eastland, Eastland County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 604 FOR and 602 AGAINST. The City Eastland, Eastland County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Eastland, Eastland County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 692 FOR and 513 AGAINST. The City Eastland, Eastland County, was “dry” before the election and after the election is now “wet” for the sale of mixed beverages in restaurants with a food and beverage certificate.

An election was held for the City of Milford, Ellis County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 161 FOR to 62 AGAINST. The City of Milford, Ellis County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An countywide election was held for Freestone County on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 4,358 FOR and 2,913 AGAINST. Before the election, Freestone County was “wet” only in part for the sale of beer and wine for off-premises consumption. After the election, Freestone county is “wet” throughout for such sales.

An countywide election was held for Freestone County on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 4,285 FOR and 2,492 AGAINST. Before the election, Freestone County was “dry” for the sale of mixed beverages in restaurants with food and beverage certificates. After the election, Freestone County is “wet” throughout for such sales.

An election was held for the City of Southmayd, Grayson County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 129 FOR and 64 AGAINST. The City of Southmayd, Grayson County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Lakeport, Gregg County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 224 FOR and 129 AGAINST. The City of Lakeport, Gregg County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Lakeport, Gregg County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 249 FOR and 115 AGAINST. The City of Lakeport, Gregg County, was “dry” before the election and after the election is now “wet” for the sale of mixed beverages in restaurants holding a food and beverage certificate.

An election was held for the City of Petersburg, Hale County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 187 FOR and 114 AGAINST. The City of Petersburg, Hale County, was “dry” before the election and after the election is now “wet” for the sale of all alcoholic beverages, including mixed beverages.

ADDENDUM F (Continued)

An election was held for Justice of the Peace Precinct 1, Hamilton County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 1,677 FOR and 837 AGAINST. Justice of the Peace Precinct 1, Hamilton County, was only “wet” in part for the sale of all alcoholic beverages, including mixed beverages, before the election and after the election is “wet” throughout for such sales.

An election was held for the City of Lumberton, Hardin County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 2,967 FOR and 1,865 AGAINST. The City of Lumberton, Hardin County, was “wet” only in part for the sale of beer and wine for off-premises consumption before the election and after the election is now “wet” throughout for such sales.

An election was held for the City of Lumberton, Hardin County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 3,243 FOR and 1,641 AGAINST. The City of Lumberton, Hardin County, was “wet” only in part for the sale of mixed beverages in restaurants with food and beverage certificates before the election and after the election is now “wet” throughout for such sales.

An election was held for the City of Buda, Hays County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 1,990 FOR and 522 AGAINST. Before the election, the City of Buda, Hays County, was “wet” only for the sale of all alcoholic beverages for off-premises consumption and for the sale of mixed beverages in restaurants holding food and beverage certificates. After the election, the City of Buda, Hays County, is now “wet” for the sale of all alcoholic beverages, including mixed beverages.

An election was held for the City of Malakoff, Henderson County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 285 FOR and 263 AGAINST. Before the election, the City of Malakoff, Henderson County, was “wet” only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants holding a food and beverage certificate. After the election, the City of Malakoff, Henderson County, remains “wet” for such sales but is now also “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Chandler, Henderson County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 589 FOR and 425 AGAINST. The City of Chandler, Henderson County, was “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Chandler, Henderson County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 617 FOR and 401 AGAINST. The City of Chandler, Henderson County, was “dry” before the election and after the election is now “wet” for the sale of mixed beverages in restaurants with a food and beverage certificate.

An election was held for the City of Trinidad, Henderson County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 203 FOR and 107 AGAINST. The City of Trinidad, Henderson County, as “dry” before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Abbott, Hill County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 100 FOR and 25 AGAINST. Before the election, the City of Abbott, Hill County, was “wet” only for the sale of beer and wine for off-premises consumption. After the election, the City of Abbott, Hill County, is now “wet” for the sale of all alcoholic beverages, including mixed beverages.

ADDENDUM F (Continued)

An election was held for Justice of the Peace Precinct 1, Hood County, on November 6, 2012, on the issue of "the legal sale of beer and wine for off-premises consumption only. The issue PASSED by a vote of 2,626 FOR and 1,420 AGAINST. Justice of the Peace Precinct 1, Hood County, was only "wet" in part for the sale of beer and wine for off-premises consumption before the election and now after the election is "wet" throughout for such sales.

An election was held for the City of Sulphur Springs, Hopkins County, on November 6, 2012, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue PASSED by a vote of 2,469 FOR and 2,008 AGAINST. The City of Sulphur Springs, Hopkins County, was "dry" before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Sulphur Springs, Hopkins County, on November 6, 2012, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue PASSED by a vote of 2,759 FOR and 1,663 AGAINST. The City of Sulphur Springs, Hopkins County, was "dry" before the election and after the election is now "wet" for the sale of mixed beverages in restaurants with a food and beverage certificate.

An election was held for the City of Munday, Knox County, on November 6, 2012, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The Issue PASSED by a vote of 236 FOR and 144 AGAINST. The City of Munday, Knox County, was "dry" before the election and after the election is now "wet" for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Tahoka, Lynn County, on November 6, 2012, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue PASSED by a vote of 427 FOR and 291 AGAINST. The City Tahoka, Lynn County, was "dry" before the election and after the election is now "wet" for the sale of all alcoholic beverages for off-premises consumption.

An election was held for Justice of the Peace Precinct 1, Robertson County, on November 6, 2012, on the issue of "the legal sale of beer and wine." The issue PASSED by a vote of 1,090 FOR and 413 AGAINST. Justice of the Peace Precinct 1, Robertson County, was "wet" only in part for the sale of beer and wine before the election, and after the election is now "wet" throughout for the sale of beer and wine.

An election was held for the City of Winters, Runnels County, on November 6, 2012, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue PASSED by a vote of 502 FOR and 149 AGAINST. The City of Winters, Runnels County, was "dry" before the election and after the election is now "wet" for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Winters, Runnels County, on November 6, 2012, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue PASSED by a vote of 498 FOR and 154 AGAINST. The City of Winters, Runnels County, was "dry" before the election and after the election is now "wet" for the sale of mixed beverages in restaurants with a food and beverage certificate.

An election was held for Justice of the Peace Precinct 1, Sabine County, on November 6, 2012, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue PASSED by a vote of 1,368 FOR and 678 AGAINST. Justice of Peace Precinct 1, Sabine County was "dry" for the sale of beer and wine for off-premises consumption before the election and now after the election is "wet" for such sales.

An election was held for Justice of the Peace Precinct 1, Sabine County, on November 6, 2012, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue PASSED by a vote of 1,389 FOR and 684 AGAINST. Justice of Peace Precinct 1, Sabine County was "dry" for was the sale of mixed beverages in restaurants with a food and beverage certificate before the election and now after the election is "wet" throughout for such sales.

ADDENDUM F (Continued)

A countywide election was held for Sherman County on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 582 FOR and 431 AGAINST. Sherman County was “dry” before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for Justice of the Peace Precinct 2, Smith County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 16,695 FOR and 8,850 AGAINST. Justice of Peace Precinct 2, Smith County was “dry” for the sale of beer and wine for off-premises consumption before the election and now after the election is “wet” for such sales.

An election was held for Justice of the Peace Precinct 2, Smith County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 17,138 FOR and 6,772 AGAINST. Justice of Peace Precinct 2, Smith County was “wet” only in part for the sale of mixed beverages in restaurants with a food and beverage certificate before the election and now after the election is “wet” throughout for such sales.

An election was held for the City of Tyler, Smith County, on November 6, 2012, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 22,767 FOR and 8,450 AGAINST. The City of Tyler, Smith County was “dry” for the sale of beer and wine for off-premises consumption before the election and now after the election is “wet” for such sales.

An election was held for the City of Tyler, Smith County, on November 6, 2012, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 21,225 FOR and 10,670 AGAINST. The City of Tyler, Smith County, was for the most part “wet” for the sale of mixed beverages in restaurants with a food and beverage certificate before the election and now after the election is “wet” throughout for such sales.

An election was held for the City of Graham, Young County, on November 6, 2012, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue FAILED by a vote of 1,420 FOR and 1,734 AGAINST. The City of Graham, Young County, was “dry” before the election and after the election remains “dry.”

Elections Held May 11, 2013

A countywide election was held for Armstrong County on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 315 FOR and 146 AGAINST. Armstrong County was “dry” for all alcoholic beverages sales before the election, and after the election is now “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Linden, Cass County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 511 FOR and 191 AGAINST. The City of Linden, Cass County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for all alcoholic beverages sales, including mixed beverages.

An election was held for the City of Lowry Crossing, Collin County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue FAILED by a vote of 108 FOR and 168 AGAINST. Before the election, the City of Lowry Crossing, Collin County, was for the most part “wet” for the sale of all alcoholic beverages for off-premises consumption only and after the election remains mostly “wet” for the sale of all alcoholic beverages for off-premises consumption only.

ADDENDUM F (Continued)

An election was held for the City of Plano, Collin and Denton Counties, on May 11, 2013, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue PASSED by a vote of 12,325 FOR and 6,592 AGAINST. Before the election, the City of Plano, Collin and Denton Counties, was "wet" for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants by holders of food and beverage certificate holders. After the election, it remains "wet" for such sales and is now also "wet" for off-premises sales of distilled spirits and of other liquors with alcohol content in excess 17% by volume.

An election was held for the City of Josephine, Collin and Hunt Counties, on May 11, 2013, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue PASSED by a vote of 109 FOR and 37 AGAINST. The City of Josephine, Collin and Hunt Counties, was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for Justice of the Peace Precinct 4, Cooke County, on May 11, 2013, on the issue of "the legal sale of all alcoholic beverages, including mixed beverages." The issue PASSED by a vote of 750 FOR and 263 AGAINST. Justice of the Peace Precinct 4, Cooke County, was "wet" in part for the sale all alcoholic beverages, including mixed beverages, before the election, and after the election is "wet" throughout for such sales.

A countywide election was held for Crosby County on May 11, 2013, on the issue of "the legal sale of all alcoholic beverages, including mixed beverages." The issue PASSED by a vote of 473 FOR and 215 AGAINST. Crosby County was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Mount Vernon, Franklin County, on May 11, 2013, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue PASSED by a vote of 258 FOR and 230 AGAINST. The City of Mount Vernon, Franklin County, was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of beer and wine for off-premises consumption.

An election was held for the City of Mount Vernon, Franklin County, on May 11, 2013, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue PASSED by a vote of 265 FOR and 221 AGAINST. The City of Mount Vernon, Franklin County, was "dry" for all alcoholic beverage sales before the election and after the election is now "wet" for the sale of mixed beverages in restaurants hold food and beverage certificates.

An election was held for the City of Pampa, Gray County, on May 11, 2013, on the issue of "the legal sale of mixed beverages in restaurants by food and beverage certificate holders only." The issue PASSED by a vote of 1,235 FOR and 293 AGAINST. Before the election, the City of Pampa, Gray County was "wet" for the sale of all alcoholic beverages for off-premises consumption and for the sale of beer and wine for on-premises consumption. After the election, it remains "wet" for such sales and is now also "wet" for the sale of mixed beverages in restaurants holding of food and beverage certificates.

An election was held for the City of Longview, Gregg and Harrison Counties, on May 11, 2013, on the issue of "the legal sale of beer and wine for off-premises consumption only." The issue PASSED by a vote of 2,018 FOR and 1,180 AGAINST. The City of Longview, Gregg and Harrison Counties, was only partially "wet" for the sale of beer and wine for off-premises consumption before the election and after the election is now "wet" throughout for such sales.

An election was held for the City of Murchison, Henderson County, on May 11, 2013, on the issue of "the legal sale of all alcoholic beverages for off-premises consumption only." The issue FAILED by a vote of 51 FOR and 69 AGAINST. The City of Murchison, Henderson County, was "dry" for all alcoholic beverage sales before the election and after the election remains "dry" for all alcoholic beverages sales.

ADDENDUM F (Continued)

An election was held for the City of Campbell, Hunt County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue FAILED by a vote of 32 FOR and 65 AGAINST. The City of Campbell, Hunt County, was “dry” for all alcoholic beverage sales before the election and after the election remains “dry” for all alcoholic beverage sales.

An election was held for the City of Three Rivers, Live Oak County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 100 FOR and 66 AGAINST. The City of Three Rivers, Live Oak County, was “wet” only for the sale of beer before the election and after the election is now also “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Three Rivers, Live Oak County, on May 11, 2013, on the issue of “the legal sale of mixed beverages in restaurants by food and beverage certificate holders only.” The issue PASSED by a vote of 117 FOR and 56 AGAINST. The City of Three Rivers, Live Oak County, was “wet” only for the sale of beer before the election and after the election is now also “wet” for the sale mixed beverages in restaurants by food and beverage certificate holders.

A countywide election was held for Ochiltree County on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 814 FOR and 721 AGAINST. Ochiltree County was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of all alcoholic beverages including mixed beverages.

An election was held for the City of Tatum, Panola and Rusk Counties, on May 11, 2013, on the issue of “the legal sale of a beer and wine for off-premises consumption only.” The issue PASSED by a vote of 84 FOR and 45 AGAINST. The City of Tatum, Panola and Rusk Counties, was “dry” for all alcoholic beverage sale before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for Justice of Peace Precinct 2, Polk County, on May 11, 2012, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue FAILED by a vote of 110 FOR and 188 AGAINST. Justice of the Peace Precinct 2, Polk County, was “wet” only for the sale of beer and wine for off-premises consumption and for the sale of mixed beverages in restaurants by holders of food and beverage certificates before the election, and after the election remains “wet” only for such sales.

An election was held for Justice of the Peace Precinct 2, Sabine County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 307 FOR and 148 AGAINST. Before the election, Justice of the Peace Precinct 2, Sabine County, was partially “wet” for the sale of beer and wine for off-premises consumption and for the sale of beer for on-premises consumption. After the election, Justice of the Peace Precinct 2, Sabine County, remains partially “wet” for the sale of beer for on-premises consumption but is “wet” throughout for the sale of all alcoholic beverages for off-premises consumption.

An election was held for the City of Whitehouse, Smith County, on May 11, 2013, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 503 FOR and 478 AGAINST. Before the election, the City of Whitehouse, Smith County, was “wet” only for the sale of mixed beverages in restaurants holding Food and Beverage certificates. After the election, the City Whitehouse is also “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Buffalo Gap, Taylor County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 76 FOR and 25 AGAINST. Before the election, the City of Buffalo Gap, Taylor County, was “wet” in part for the sale of all alcoholic beverages, including mixed beverages, and after the election is now “wet” throughout for such sales.

ADDENDUM F (Continued)

An election was held for Justice of the Peace Precinct 3, Wichita County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages, including mixed beverages.” The issue PASSED by a vote of 823 FOR and 739 AGAINST. Justice of the Peace Precinct 3, Wichita County, was “dry” before the election and after the election is now “wet” for the sale of all alcoholic beverages, including mixed beverages.

An election was held for Justice of the Peace Precinct 3, Wichita County, on May 11, 2013, on the issue of “the legal sale of all alcoholic beverages for off-premises consumption only.” The issue PASSED by a vote of 829 FOR and 736 AGAINST. Justice of the Peace Precinct 3, Wichita County, was “dry” before the election and after the election is now “wet” for the sale of all alcoholic beverages for off-premises consumption.

An election was held for Justice of the Peace Precinct 2, Yoakum County, on May 11, 2013, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 464 FOR and 322 AGAINST. Justice of the Peace Precinct 2, Yoakum County, was “dry” for all alcoholic beverages sales before the election, and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

An election was held for the City of Denver City, Yoakum County, on May 11, 2013, on the issue of “the legal sale of beer and wine for off-premises consumption only.” The issue PASSED by a vote of 303 FOR and 236 AGAINST. The City of Denver City, Yoakum County, was “dry” for all alcoholic beverage sales before the election and after the election is now “wet” for the sale of beer and wine for off-premises consumption.

UNAUDITED

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM G.1

DETAIL STATEMENT OF COLLECTIONS

For the Fiscal Years Ended August 31, 2012 and 2013

	2012	2013	Increase (Decrease)
LICENSE & PERMIT FEES	\$	\$	\$
Alcoholic Beverage Permits	67,653,548	56,642,117	(11,011,431)
TAXES			
Collected on Audits	147,211	272,117	124,906
Direct Liquor Tax	123,452	122,254	(1,198)
Excise Tax-Distilled Spirits	73,136,280	75,308,193	2,171,913
Excise Tax-Wine	12,732,275	13,131,912	399,637
Excise Tax-Malt Liquor	11,270,884	13,012,707	1,741,823
Excise Tax-Beer	105,013,366	103,722,883	(1,290,483)
Airline Beverage Tax	196,398	197,108	710
Cigarette Tax	746,206	661,111	(85,095)
TOTAL TAXES	\$203,366,072	\$206,428,285	\$3,062,213
CONFISCATED LIQUOR SALES	\$ 6,638	\$ 3,690	\$ (2,948)
MISCELLANEOUS			
Fines	3,005,280	2,864,750	(140,530)
Admin Fees-Ports	3,560,909	3,482,630	(78,279)
Admin Fees-Licensing	29,600	50,275	20,675
Server Training Fees	653,180	695,610	42,430
Label Approval	548,640	482,670	(65,970)
Bond Forfeitures	388,825	415,112	26,287
Other Miscellaneous Revenue	103,853	109,269	5,416
TOTAL MISCELLANEOUS	\$ 8,290,287	\$ 8,100,316	\$ (189,971)
Unassigned Revenue*	\$ 185,498	\$ 145,254	\$ (40,244)
TOTAL REVENUE	\$279,502,043	\$271,319,662	(\$8,182,381)

TEXAS ALCOHOLIC BEVERAGE COMMISSION (458)

ADDENDUM G.2

PER CAPITA CONSUMPTION

For the Fiscal Year Ended August 31, 2013

	Gross Tax Reported	Total Tax Collections	Total Gallons	Per Capita Consumption
	\$	\$		
Distilled Spirits	76,335,606	75,009,942	31,806,503	1.18
Wine	13,382,199	13,149,885	55,021,418	2.04
Malt Liquor	13,346,863	12,998,537	67,408,399	2.5
Beer	105,747,272	103,661,983	546,361,998	20.29

NOTE:

Statistics based on tax collections by the Tax Section and population estimates from the Comptroller of Public Accounts "Economic and Population Forecast Summary" on fiscal year 2013 of 26,932,619 Texas inhabitants.

ADDENDUM G.3

HISTORICAL SUMMARY OF REVENUE COLLECTIONS

For the Fiscal Year Ended August 31, 2013

Fiscal Year	Revenue
November 16, 1935 to August 31, 2004	\$ 8,902,274,190
2005	209,689,470
2006	227,430,640
2007	234,401,313
2008	244,322,334
2009	266,843,736
2010	260,218,836
2011	254,313,326
2012	279,502,043
2013	271,319,662
TOTAL REVENUE	\$ 11,150,315,550

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Please visit our web site at www.tabc.state.tx.us for more information about the Texas Alcoholic Beverage Commission.