

FILED  
458-20-4590  
8/17/2020 3:13 PM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

ACCEPTED  
458-20-4590  
8/18/2020 8:25 AM  
STATE OFFICE OF  
ADMINISTRATIVE HEARINGS  
Jessie Harbin, CLERK

BOKEETERS COCKTAIL BAR INC.	§	BEFORE THE TEXAS
D/B/A BOKEETERS COCKTAIL BAR	§	
PERMIT NO. MB-1063221, LB, PE	§	ALCOHOLIC
MONTGOMERY COUNTY, TEXAS	§	BEVERAGE COMMISSION

**EMERGENCY ORDER OF SUSPENSION**

The Texas Alcoholic Beverage Commission (“Commission”) is the state agency authorized to administer and enforce the Texas Alcoholic Beverage Code and the administrative rules adopted to implement the Code.

BOKEETERS COCKTAIL BAR INC. (“Permittee”) is the holder of a Mixed Beverage Permit, a Beverage Cartage Permit, and a Mixed Beverage Late Hours Permit (“Permits”). The permitted premises are known as BOKEETERS COCKTAIL BAR, located at 18110 HWY 59, New Caney, Montgomery County, Texas 77357, and its mailing address is 17410 Grove Ln, New Caney, Texas 77357.

On March 13, 2020, Governor Abbott issued a disaster proclamation certifying that the novel coronavirus (“COVID-19”) poses an imminent threat of disaster for all Texas counties. Dr. John Hellerstedt, Commissioner of the Texas Department of State Health Services, has determined that COVID-19 represents a public health disaster within the meaning under Chapter 81 of the Texas Health and Safety Code.

On June 26, 2020, Governor Abbott issued Executive Order GA-28, which prohibits people from visiting bars and similar establishments that hold a permit or license from TABC that do not also qualify as a restaurant. Failure to comply with the executive order is subject to regulatory enforcement.

On or about August 7, 2020, Permittee failed to operate its business in accordance with GA-28 by allowing people to visit its premises. Permittee derives 51% or more of its gross receipts from the sale of alcoholic beverages and qualifies as a bar. Therefore, Permittee was prohibited from allowing people to visit its premises after 12:00PM on June 26, 2020.

In light of the foregoing, I have determined that the continued operation of Permittee’s business would constitute a continuing threat to the public welfare.

**IT IS THEREFORE ORDERED**, pursuant to Texas Alcoholic Beverage Code § 11.614, that Permittee’s Permits are **suspended for sixty (60) days** effective immediately.

This Order is enforceable on the date it is signed. On that date, the Commission will serve notice to the parties listed below.

8/8/2020

SIGNED ON \_\_\_\_\_

*Bentley Nettles*

\_\_\_\_\_  
A. Bentley Nettles, Executive Director  
Texas Alcoholic Beverage Commission