



# PERFORMANCE BOND

**BOND NUMBER** ↓

(1)

(For Surety Company's Use)

**KNOW ALL MEN BY THESE PRESENTS:**

THAT WE, (2) \_\_\_\_\_  
 as PRINCIPAL, and (3) \_\_\_\_\_  
 as SURETY, duly authorized and qualified to do business as a surety company in this State, are firmly bound unto THE  
 STATE OF TEXAS in sum of (4) \_\_\_\_\_  
 dollars payable at Austin, Travis County, Texas, and for the payment of which, well and truly to be made, PRINCIPAL  
 binds himself, his heirs, executors and administrators, jointly and severally, or itself, its successors and assigns, and the  
 SURETY binds itself, its successors and assigns, firmly by these presents.

WHEREAS, PRINCIPAL is the holder of (5) \_\_\_\_\_  
(Type of Permit/License – See reverse side)  
 granted the privileges by said permit to be exercised in the city of (6) \_\_\_\_\_  
(If not located in a city/town, leave blank and insert county name in #7)  
 (7) \_\_\_\_\_ County, Texas, pursuant to the provisions of the Texas Alcoholic Beverage Code.

NOW, THEREFORE, THE CONDITION OF THE OBLIGATION is such that the Principal shall faithfully conform with the Texas Alcoholic Beverage Code and Rules of the Commission. If the holder of this permit or license violates a law of the state relating to alcoholic beverages or a rule of the commission, the amount of the bond shall be paid to the state, SUBJECT, HOWEVER, to the following terms and conditions:

1. This bond shall become effective on the date of the issuance of above permit or license by the Texas Alcoholic Beverage Commission and shall remain in full force and effect until cancelled, and thereafter provided, or until such permit or license and succeeding renewals of the permit or license have expired.
2. This bond may be cancelled as to liability for future defaults at any time by the SURETY, upon giving thirty (30) days written notice, in which event the liability of the SURETY shall at the expiration of said thirty (30) days, cease and terminate, it being understood that the SURETY shall be liable for the default of the PRINCIPAL in fully discharging any liability on his or its part as above set forth, accruing during the life of the permit or license, and while this bond is in full force and effect.
3. The liability of the SURETY shall not exceed the amount above stated.

PRINCIPAL	SURETY COMPANY																
<p>IN TESTIMONY, WHEREOF, said PRINCIPAL has hereunto subscribed his or their names or has cause this instrument to be signed by its duly authorized officers and its corporate seal to be hereunto affixed this date:</p> <p>_____ A.D., _____</p> <p>SIGN HERE _____  <small>(Signature of Principal)</small></p>	<p>IN TESTIMONY WHEREOF, said SURETY has caused this instrument to be signed by it duly authorized officers and its corporate seal to be hereunto affixed date:</p> <p>_____ A.D., _____</p> <p>SIGN HERE _____  <small>(Signature of Attorney-in-Fact for Surety Company)</small></p> <p>_____  <small>(Surety Company Name)</small></p> <p>_____  <small>(Surety Company Mailing Address)</small></p> <p>( ) - _____  <small>(Surety Company Area Code and Phone Number)</small></p> <p>( ) - _____  <small>(Agent's Area Code and Phone Number)</small></p>																
<table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 50%;">PRINCIPAL MUST BE SHOWN AS:</th> <th style="width: 50%;">WHO MUST SIGN:</th> </tr> </thead> <tbody> <tr> <td>Proprietorship-individual owner</td> <td>-individual</td> </tr> <tr> <td>Partnership-all partners' names</td> <td>-partner</td> </tr> <tr> <td>Corporation-corporate name</td> <td>-officer</td> </tr> <tr> <td>Limited partnership-partnership name &amp; general partner</td> <td>-general partner</td> </tr> <tr> <td>Limited liability partnership-partnership name &amp; all partners</td> <td>-general partner</td> </tr> <tr> <td>Limited liability company-company name</td> <td>-officer/manager</td> </tr> <tr> <td>Private Club-club name, if corporation, corporate name</td> <td>-officer</td> </tr> </tbody> </table>	PRINCIPAL MUST BE SHOWN AS:	WHO MUST SIGN:	Proprietorship-individual owner	-individual	Partnership-all partners' names	-partner	Corporation-corporate name	-officer	Limited partnership-partnership name & general partner	-general partner	Limited liability partnership-partnership name & all partners	-general partner	Limited liability company-company name	-officer/manager	Private Club-club name, if corporation, corporate name	-officer	
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(COMPLETE NEXT PAGE)

# ACKNOWLEDGMENTS

**No. 1 (FOR PRINCIPAL)**

BEFORE ME, the undersigned authority in and for said State on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the  
 \_\_\_\_\_  
 (Name of Principal)  
 foregoing instrument, and acknowledged to me that he or she executed the same, for the purposes and considerations therein expressed.

Given under my hand and seal of office, this date \_\_\_\_\_ A.D., \_\_\_\_\_

**(S E A L)**

**SIGN  
HERE**

\_\_\_\_\_  
 Notary Public

**No. 2 (FOR SURETY COMPANY)**

BEFORE ME, the undersigned authority in and for said State on this day personally appeared \_\_\_\_\_ known to me to be the person whose name is subscribed to the  
 \_\_\_\_\_  
 (Name of Attorney-in-Fact)  
 foregoing instrument, and acknowledged to me that he or she executed the same as the act and deed of the surety company thereof, and for the purposes and considerations therein expressed, and in the capacity therein stated.

Given under my hand and seal of office, this date \_\_\_\_\_ A.D., \_\_\_\_\_

**(S E A L)**

**SIGN  
HERE**

\_\_\_\_\_  
 Notary Public

**NO. 1 – PRINCIPAL-ACKNOWLEDGMENT**

Name of principal who signed the bond must be shown.  
 Notary public must date, sign the acknowledgment and affix notary seal.

**NO. 2 – SURETY COMPANY-ACKNOWLEDGMENT**

Name of attorney-in-fact who signed the bond must be shown.  
 Notary Public must date sign the acknowledgment and affix notary seal.

## I N S T R U C T I O N S

- As required under **Section 11.61(23)(b-1)**, of the Texas Alcoholic Beverage Code, this bond must accompany all original applications and renewal applications for the licenses/permits listed below if you are located in a County with a population of 1.4 million or more (Bexar, Dallas, Harris, and Tarrant Counties) unless you are an establishment, which holds a Food and Beverage Certificate, whose primary business is food service.

Type of Permit	Bond Amount
Wine and Malt Beverage Retailer's Permit (BG)	\$2,000 or \$4,000 or \$6,000*
Retailer Dealer's On Premise License (BE)	\$2,000 or \$4,000 or \$6,000*

\*An initial Performance Bond in the amount of \$2,000 is required. In the event the first bond is forfeited to the Commission, a licensee or permittee must file a second bond in the amount of \$4,000 before a license or permit may be reinstated. In the event the second bond is forfeited to the Commission, a licensee or permittee must file a third bond in the amount of \$6,000 before a license or permit may be reinstated.

**NOTE:** Bond will remain posted unless forfeited, or until license/permit is expired, or voluntarily cancelled.

- On the face of the bond: No. (1) must indicate bond number, No. (5) type of permit as shown above  
 No. (2) name of principal, No. (6) city of business location  
 No. (3) the surety company name, No. (7) county of business location.  
 No. (4) bond amount,
- Ensure the principal date is entered and the principal has signed the bond.
- The attorney-in-fact must date the bond; sign his/her name, enter surety company name, surety mailing address and surety telephone number.
- Power of Attorney authorizing attorney-in-fact to sign for surety company must be attached.
- This form will not be accepted with any alterations or whiteouts on the face of the bond. Bond riders will be accepted from bonding company to correct errors noted by the Commission. Corrections in the acknowledgments will be accepted if the notary public has initialed the correction made thereon.