

BILL ANALYSIS

H.B. 295
By: Smith, Todd
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently if a person would like to contest the facts stated in an application for a license to distribute, manufacture, or sell beer at retail, or the applicant's right to secure a license, the person is required to pay a fee up front in order to cover costs incurred if the case is decided in favor of the applicant. HB 295 would remove that requirement so that citizens would have the right to freedom of speech to contest an application.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends Section 61.39, Alcoholic Beverage Code to prohibit a person who contests an alcoholic beverage license from being required to pay security for the costs which may be incurred in the contest if the case should be decided in favor of the applicant.

EFFECTIVE DATE

September 1, 2003. The Act applies to a contest of an application for a license on or after September 1, 2003.