

BILL ANALYSIS

H.B. 1008
By: Woolley
Licensing & Administrative Procedures
Committee Report (Amended)

BACKGROUND AND PURPOSE

Current law does not require that notification of an application for a permit or license or renewal of a permit or license submitted to the Texas Alcoholic Beverage Commission (TABC) be given to legislators who represent the district in which the premise is located . Legislators are often asked by their constituents to become involved in opposing or supporting permit and license applications made under the Alcoholic Beverage Code. To ensure that legislators remain informed of pending permit and license applications and renewals within their district, notice should be provided by the applicant to the legislators who represent the district in which the premise is located.

House Bill 1008 requires that a person who submits a permit or renewal of a permit or license under the Alcoholic Beverage Code deliver by mail at the applicant's expense notification to the legislators who represent the district in which the premise is located.

RULEMAKING AUTHORITY

This bill does not expressly delegate any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

Amends subchapter B, Chapter 11, Alcoholic Beverage Code, by adding Section 11.401 , which requires members of the legislature to be notified in writing by a person who submits a permit or renewal of a permit under the Alcoholic Beverage Code. The state senator and state representative who represent the district in which the premise is located will be mailed notice at the applicant's expense. The bill sets forth the provisions relating to the required notice of a permit or renewal of a permit.

Amends subchapter B, Chapter 61, Alcoholic Beverage Code, by adding Section 61.383 , which provides that a person who submits a license or renewal of a license under the Alcoholic Beverage Code shall provide written notice of the application to the state senator and state representative who represent the district in which the premise is located at the applicant's expense. The bill sets forth the provisions relating to the required notice of a license or renewal of a license.

The bill provides that Section 11.401 and Section 61.383, Alcoholic Beverage Code do not apply to fraternal or veterans organizations or an application that contains an application for a food and beverage certificate.

EFFECTIVE DATE

September 1, 2003. The Act applies beginning with a permit or license or renewal of a permit or licensed filed on or after that date. A permit or license of a permit or licensed filed before the effective date of this Act is governed by the law in effect on the date the application was filed.

EXPLANATION OF AMENDMENTS

Limits the bill to on premise retail consumption and also defines what is needed to be provided on a form

provided by the commission.