

BILL ANALYSIS

Senate Research Center
78R4956 AJA-D

H.B. 1114
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Criminal Justice
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Engrossed

DIGEST AND PURPOSE

Currently, the Alcoholic Beverage Code states a person commits an offense if he knowingly sells an alcoholic beverage to an intoxicated person. The burden is on law enforcement to prove this high level of culpability, which has been difficult to accomplish. H.B. 1114 provides that a person commits an offense if the person with criminal negligence sells an alcoholic beverage to certain persons.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 101.63(a), Alcoholic Beverage Code, to provide that a person commits an offense if the person with criminal negligence, rather than knowingly, sells an alcoholic beverage to an habitual drunkard or an intoxicated or insane person.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2003.