

## **BILL ANALYSIS**

H.B. 2112  
By: Homer  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Currently the Alcoholic Beverage Code set out the conditions for which an employer may be held responsible for the actions of their employees and provides a “safe harbor” if an employer has their employees trained in the responsible service of alcoholic beverages. However, private clubs may still be cited for an employee who serves a non-member.

This bill would extend the “safe harbor” to service of a non-member.

### **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 106.14(a), Alcoholic Beverage Code by adding “a person who is not a member of a private club on the club premises” to the current categories (minor and intoxicated person) where actions by an employee are not attributable to the employer under certain circumstances.

Provides that this Act would apply only to the sale, service, dispensing, delivery, or consumption of alcoholic beverage on or after the effective date of the Act.

### **EFFECTIVE DATE**

September 1, 2003.