

By: Woolley

H.B. No. 1008

A BILL TO BE ENTITLED

AN ACT

relating to notice of certain applications for alcoholic beverage permits and licenses.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Subchapter B, Chapter 11, Alcoholic Beverage Code, is amended by adding Section 11.401 to read as follows:

Sec. 11.401. NOTICE TO MEMBER OF LEGISLATURE. (a) Except as provided by Subsection (d), a person who submits an application for a permit or renewal of a permit authorizing the retail sale or service of alcoholic beverages for on-premises consumption shall provide written notice of the application to the state senator and the state representative who represent the district in which the premises is located. The notice required by this section must be delivered by mail at the applicant's expense.

(b) The notice must be provided on a form prescribed by the commission and must contain:

(1) the type of permit and type of business for which the applicant has applied;

(2) the exact location of the place of business for which the permit is sought;

(3) the name of each owner of the business or, if the business is operated under an assumed name, the trade name and the name of each owner; and

(4) if the applicant is a corporation, the name and

1 title of each officer.

2 (c) The notice required by this section must be provided not
3 later than:

4 (1) the fifth day after the date an original
5 application is filed; or

6 (2) the 31st day before the expiration date of a permit
7 for which a renewal application will be filed.

8 (d) This section does not apply to:

9 (1) a fraternal or veterans organization; or

10 (2) an application that contains an application for a
11 food and beverage certificate.

12 SECTION 2. Section 11.392, Alcoholic Beverage Code, is
13 amended by adding Subsection (a-1) to read as follows:

14 (a-1) The notice must be provided on a form prescribed by
15 the commission and must contain:

16 (1) the type of permit and type of business for which
17 the applicant has applied;

18 (2) the exact location of the place of business for
19 which the permit is sought;

20 (3) the name of each owner of the business or, if the
21 business is operated under an assumed name, the trade name and the
22 name of each owner; and

23 (4) if the applicant is a corporation, the name and
24 title of each officer.

25 SECTION 3. Subchapter B, Chapter 61, Alcoholic Beverage
26 Code, is amended by adding Section 61.383 to read as follows:

27 Sec. 61.383. NOTICE TO MEMBER OF LEGISLATURE. (a) Except

1 as provided by Subsection (d), a person who submits an application
2 for a license or renewal of a license authorizing the retail sale or
3 service of alcoholic beverages for on-premises consumption shall
4 provide written notice of the application to the state senator and
5 the state representative who represent the district in which the
6 premises is located. The notice required by this section must be
7 delivered by mail at the applicant's expense.

8 (b) The notice must be provided on a form prescribed by the
9 commission and must contain:

10 (1) the type of license and type of business for which
11 the applicant has applied;

12 (2) the exact location of the place of business for
13 which the license is sought;

14 (3) the name of each owner of the business or, if the
15 business is operated under an assumed name, the trade name and the
16 name of each owner; and

17 (4) if the applicant is a corporation, the name and
18 title of each officer.

19 (c) The notice required by this section must be provided not
20 later than:

21 (1) the fifth day after the date an original
22 application is filed; or

23 (2) the 31st day before the expiration date of a
24 license for which a renewal application will be filed.

25 (d) This section does not apply to:

26 (1) a fraternal or veterans organization; or

27 (2) an application that contains an application for a

1 food and beverage certificate.

2 SECTION 4. This Act takes effect September 1, 2003, and
3 applies to an application for a permit or license or renewal of a
4 permit or license filed on or after that date. An application for a
5 permit or license or renewal of a permit or license filed before the
6 effective date of this Act is governed by the law in effect on the
7 date the application for a permit or license or renewal of a permit
8 or license was filed and the former law is continued in effect for
9 that purpose.