

By: Woolley

H.B. No. 1008

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to notice of certain applications for alcoholic beverage  
3 permits and licenses.

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

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

7 Sec. 11.401. NOTICE TO MEMBER OF LEGISLATURE. (a) Except  
8 as provided by Subsection (d), a person who submits an application  
9 for a permit or renewal of a permit issued under this code shall  
10 provide written notice of the application to the state senator and  
11 the state representative who represent the district in which the  
12 premises is located. The notice required by this section must be  
13 delivered by mail at the applicant's expense.

14 (b) The notice must be provided on a form prescribed by the  
15 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.

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

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

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

7        (d) This section does not apply to:

8            (1) a fraternal or veterans organization; or

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

11        SECTION 2. Subchapter B, Chapter 61, Alcoholic Beverage  
12 Code, is amended by adding Section 61.383 to read as follows:

13        Sec. 61.383. NOTICE TO MEMBER OF LEGISLATURE. (a) Except  
14 as provided by Subsection (d), a person who submits an application  
15 for a license or renewal of a license issued under this code shall  
16 provide written notice of the application to the state senator and  
17 the state representative who represent the district in which the  
18 premises is located. The notice required by this section must be  
19 delivered by mail at the applicant's expense.

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

22            (1) the type of license and type of business for which  
23 the applicant has applied;

24            (2) the exact location of the place of business for  
25 which the license is sought;

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

1 name of each owner; and

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

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

6 (1) the fifth day after the date an original  
7 application is filed; or

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

10 (d) This section does not apply to:

11 (1) a fraternal or veterans organization; or

12 (2) an application that contains an application for a  
13 food and beverage certificate.

14 SECTION 3. This Act takes effect September 1, 2003, and  
15 applies to an application for a permit or license or renewal of a  
16 permit or license filed on or after that date. An application for a  
17 permit or license or renewal of a permit or license filed before the  
18 effective date of this Act is governed by the law in effect on the  
19 date the application for a permit or license or renewal of a permit  
20 or license was filed and the former law is continued in effect for  
21 that purpose.

COMMITTEE AMENDMENT NO. 1

Amend H.B. No. 1008 as follows:

(1) On page 1, line 9, strike "issued under this code" and substitute "authorizing the retail sale or service of alcoholic beverages for on-premises consumption".

(2) On page 2, between lines 10 and 11, insert the following appropriately numbered section of the bill and renumber the remaining sections of the bill as appropriate:

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

(a-1) 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 title of each officer.

(3) On page 2, line 15, strike "issued under this code" and substitute "authorizing the retail sale or service of alcoholic beverages for on-premises consumption".