

1-1 By: Woolley (Senate Sponsor - Nelson) H.B. No. 1008
1-2 (In the Senate - Received from the House May 6, 2003;
1-3 May 8, 2003, read first time and referred to Committee on Business
1-4 and Commerce; May 23, 2003, reported favorably by the following
1-5 vote: Yeas 8, Nays 1; May 23, 2003, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to notice of certain applications for alcoholic beverage
1-9 permits and licenses.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Subchapter B, Chapter 11, Alcoholic Beverage
1-12 Code, is amended by adding Section 11.401 to read as follows:

1-13 Sec. 11.401. NOTICE TO MEMBER OF LEGISLATURE. (a) Except
1-14 as provided by Subsection (d), a person who submits an application
1-15 for a permit or renewal of a permit authorizing the retail sale or
1-16 service of alcoholic beverages for on-premises consumption shall
1-17 provide written notice of the application to the state senator and
1-18 the state representative who represent the district in which the
1-19 premises is located. The notice required by this section must be
1-20 delivered by mail at the applicant's expense.

1-21 (b) The notice must be provided on a form prescribed by the
1-22 commission and must contain:

1-23 (1) the type of permit and type of business for which
1-24 the applicant has applied;

1-25 (2) the exact location of the place of business for
1-26 which the permit is sought;

1-27 (3) the name of each owner of the business or, if the
1-28 business is operated under an assumed name, the trade name and the
1-29 name of each owner; and

1-30 (4) if the applicant is a corporation, the name and
1-31 title of each officer.

1-32 (c) The notice required by this section must be provided not
1-33 later than:

1-34 (1) the fifth day after the date an original
1-35 application is filed; or

1-36 (2) the 31st day before the expiration date of a permit
1-37 for which a renewal application will be filed.

1-38 (d) This section does not apply to:

1-39 (1) a fraternal or veterans organization; or

1-40 (2) an application that contains an application for a
1-41 food and beverage certificate.

1-42 SECTION 2. Section 11.392, Alcoholic Beverage Code, is
1-43 amended by adding Subsection (a-1) to read as follows:

1-44 (a-1) The notice must be provided on a form prescribed by
1-45 the commission and must contain:

1-46 (1) the type of permit and type of business for which
1-47 the applicant has applied;

1-48 (2) the exact location of the place of business for
1-49 which the permit is sought;

1-50 (3) the name of each owner of the business or, if the
1-51 business is operated under an assumed name, the trade name and the
1-52 name of each owner; and

1-53 (4) if the applicant is a corporation, the name and
1-54 title of each officer.

1-55 SECTION 3. Subchapter B, Chapter 61, Alcoholic Beverage
1-56 Code, is amended by adding Section 61.383 to read as follows:

1-57 Sec. 61.383. NOTICE TO MEMBER OF LEGISLATURE. (a) Except
1-58 as provided by Subsection (d), a person who submits an application
1-59 for a license or renewal of a license authorizing the retail sale or
1-60 service of alcoholic beverages for on-premises consumption shall
1-61 provide written notice of the application to the state senator and
1-62 the state representative who represent the district in which the
1-63 premises is located. The notice required by this section must be
1-64 delivered by mail at the applicant's expense.

