1-1 Woolley (Senate Sponsor - Nelson) H.B. No. 1008 1-2 1-3 (In the Senate - Received from the House May 6, 2003; May 8, 2003, read first time and referred to Committee on Business and Commerce; May 23, 2003, reported favorably by the following vote: Yeas 8, Nays 1; May 23, 2003, sent to printer.) 1-4 1-5 1-6 1-7 A BILL TO BE ENTITLED AN ACT 1-8 relating to notice of certain applications for alcoholic beverage 1-9 permits and licenses. 1-10 1-11 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: 1-12 1-13 Sec. 11.401. NOTICE TO MEMBER OF LEGISLATURE. 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 1-14 1**-**15 1**-**16 1-17 1-18 the state representative who represent the district in which the premises is located. The notice required by this section must be 1-19 delivered by mail at the applicant's expense.

(b) The notice must be provided on a form prescribed by the 1-20 1-21 1-22 commission and must contain: 1-23 (1) the type of permit and type of business for which the applicant has applied; 1-24 location of the place of business for 1-25 the exact (2) 1-26 which the permit is sought; (3) the name of each owner of the business or, 1-27 1-28 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 1-29 1-30 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 application is filed; or

(2) the 31st day before the expiration date of a permit 1-35 1-36 for which a renewal application will be filed. 1-37 1-38 This section does not apply to: 1-39 (1) a fraternal or veterans organization; or (2) an application that contains an application for a food and beverage certificate. 1-40 1-41 SECTION 2. Section 11.392, Alcoholic Beverage Code, 1-42 1-43 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 - 441-45 1-46 (1) the type of permit and type of business for which 1 - 47the applicant has applied; 1-48 (2) the exact location of the place of business for which the permit is sought; 1-49 (3) the name of each owner of the business or, if the business is operated under an assumed name, the trade name and the 1-50 1-51 1-52 name of each owner; and 1-53 (4) if the applicant is a corporation, the name and title of each officer. 1-54 Subchapter B, Chapter 61, Alcoholic Beverage 1-55 SECTION 3. 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) as provided by Subsection (d), a person who submits an application 1-58 for a license or renewal of a license authorizing the retail sale or 1-59 service of alcoholic beverages for on-premises consumption shall provide written notice of the application to the state senator and 1-60 1-61 the state representative who represent the district in which the 1-62 premises is located. The notice required by this section must be 1-63 delivered by mail at the applicant's expense. 1-64

H.B. No. 1008

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

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

(2) the exact location of the place of business for

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

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

title of each officer.

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

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

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

(d) This section does not apply to:

(1) a fraternal or veterans organization; or

an application that contains an application for a (2)

food and beverage certificate.

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2-28 2-29 SECTION 4. This Act takes effect September 1, 2003, and applies to an application for a permit or license or renewal of a permit or license filed on or after that date. An application for a permit or license or renewal of a permit or license filed before the effective date of this Act is governed by the law in effect on the date the application for a permit or license or renewal of a permit or license was filed and the former law is continued in effect for that purpose.

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