

## **BILL ANALYSIS**

H.B. 833  
By: Gattis  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law states that a city or county having a population below 500,000 may set their own drinking hours.

Texas' population is rapidly growing. For example, Williamson County has experienced tremendous population growth. According to official statistics from United States Census Bureau the population increased from 139,551 in 1990 to 249,967 by 2000. The 2003 population estimate stands at 303,587, which represent a 21.5% increase since the 2000 census numbers.

H.B. 833 seeks to preserve local control for cities and counties to set their own drinking hours. This legislation will extend local control to our counties and cities with a population between 500,000 and 800,000 to set their own drinking hours. House Bill 833 will only affect those counties that do not have a population of 500,000 or more according to the 22nd Decennial Census of the United States in order to not impact those counties who currently have a population between 500,000 and 800,000.

### **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 the Alcoholic Beverage Code to change the population requirements from 500,000 to 800,000 or more, according to the last preceding federal census, or 500,000 or more, according to the 22nd Decennial Census of the United States, as released by the Bureau of the Census on March 12, 2001. A holder of a mixed beverage late hours permit or a retail dealer's on-premise late hours license is authorized to conduct certain business practices between the hours of midnight and 2 a.m. on any day if they have the population stated above; if not, they are likewise authorized if the extended hours are adopted by the commissioners court of the unincorporated areas of the county or the governing body of the city or town.

### **EFFECTIVE DATE**

Immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.