

By: Goolsby

H.B. No. 2065

A BILL TO BE ENTITLED

AN ACT

1
2 relating to operation of the holder of a private club registration
3 permit under the Alcoholic Beverage Code.

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

5 SECTION 1. Section 32.03(d), Alcoholic Beverage Code, is
6 amended to read as follows:

7 (d) No application for membership may be approved until the
8 application has been filed with the chairman of the membership
9 committee or board and approved by the chairman. The committee or
10 board may authorize the chairman or a designated agent to issue
11 preliminary memberships without the approval of the committee or
12 board for a period not exceeding seven [~~three~~] days on the request
13 of an applicant for membership. A preliminary member has all of the
14 privileges of membership in the club. If the committee or board
15 does not approve the application before the expiration of the
16 preliminary membership, the club shall pay to the state a [~~the~~] fee
17 of \$3 [~~required of temporary members under Section 32.09 of this~~
18 ~~code~~]. The club shall remit the fees and record and report
19 preliminary memberships as the commission or the administrator
20 prescribes.

21 SECTION 2. Section 32.06(b), Alcoholic Beverage Code, is
22 amended to read as follows:

23 (b) If an alcoholic beverages replacement account is used:

24 (1) each service check may [~~shall~~] have printed on it

1 the percentage of the service charge that is to be deposited in the
2 alcoholic beverages replacement account;

3 (2) no money other than the designated percentage of
4 service charges may be deposited in the replacement account;

5 (3) the replacement of alcoholic beverages may be paid
6 for only from money in the replacement account;

7 (4) the club's governing body may transfer from the
8 replacement account to the club's general operating account any
9 portion of the replacement account that the governing body
10 determines is in excess of the amount that will be needed to
11 purchase replacement alcoholic beverages or repay a loan for the
12 original purchase of alcoholic beverages, but it may make only one
13 transfer in a calendar month; and

14 (5) the club shall maintain a monthly record of the
15 total amount of alcoholic beverage service charges collected, the
16 amount deposited in the replacement account, the amount used to
17 purchase alcoholic beverages or repay a loan for the original
18 purchase of alcoholic beverages, and the amount transferred to the
19 club's general operating account.

20 SECTION 3. This Act takes effect September 1, 2005.