

1-1 By: Goolsby (Senate Sponsor - Carona) H.B. No. 2065
1-2 (In the Senate - Received from the House May 16, 2005;
1-3 May 17, 2005, read first time and referred to Committee on Business
1-4 and Commerce; May 19, 2005, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 19, 2005, sent to printer.)

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

1-8 relating to operation of the holder of a private club registration
1-9 permit under the Alcoholic Beverage Code.

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

1-11 SECTION 1. Section 32.03(d), Alcoholic Beverage Code, is
1-12 amended to read as follows:

1-13 (d) No application for membership may be approved until the
1-14 application has been filed with the chairman of the membership
1-15 committee or board and approved by the chairman. The committee or
1-16 board may authorize the chairman or a designated agent to issue
1-17 preliminary memberships without the approval of the committee or
1-18 board for a period not exceeding seven [~~three~~] days on the request
1-19 of an applicant for membership. A preliminary member has all of the
1-20 privileges of membership in the club. If the committee or board
1-21 does not approve the application before the expiration of the
1-22 preliminary membership, the club shall pay to the state a [~~the~~] fee
1-23 of \$3 [~~required of temporary members under Section 32.09 of this~~
1-24 ~~code~~]. The club shall remit the fees and record and report
1-25 preliminary memberships as the commission or the administrator
1-26 prescribes.

1-27 SECTION 2. Section 32.06(b), Alcoholic Beverage Code, is
1-28 amended to read as follows:

1-29 (b) If an alcoholic beverages replacement account is used:

1-30 (1) each service check may [~~shall~~] have printed on it
1-31 the percentage of the service charge that is to be deposited in the
1-32 alcoholic beverages replacement account;

1-33 (2) no money other than the designated percentage of
1-34 service charges may be deposited in the replacement account;

1-35 (3) the replacement of alcoholic beverages may be paid
1-36 for only from money in the replacement account;

1-37 (4) the club's governing body may transfer from the
1-38 replacement account to the club's general operating account any
1-39 portion of the replacement account that the governing body
1-40 determines is in excess of the amount that will be needed to
1-41 purchase replacement alcoholic beverages or repay a loan for the
1-42 original purchase of alcoholic beverages, but it may make only one
1-43 transfer in a calendar month; and

1-44 (5) the club shall maintain a monthly record of the
1-45 total amount of alcoholic beverage service charges collected, the
1-46 amount deposited in the replacement account, the amount used to
1-47 purchase alcoholic beverages or repay a loan for the original
1-48 purchase of alcoholic beverages, and the amount transferred to the
1-49 club's general operating account.

1-50 SECTION 3. This Act takes effect September 1, 2005.

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