

By: Corte

H.B. No. 3301

A BILL TO BE ENTITLED

AN ACT

relating to a fee on sales of alcoholic beverages in certain municipalities to fund fire and emergency services and related educational activities.

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

SECTION 1. Subtitle A, Title 9, Health and Safety Code, is amended by adding Chapter 766 to read as follows:

CHAPTER 766. FUNDING FOR EMERGENCY SERVICES AND ALCOHOL AWARENESS EDUCATION IN CERTAIN MUNICIPALITIES

Sec. 766.001. APPLICABILITY OF CHAPTER. This chapter applies only to a municipality with a population of more than 1 million.

Sec. 766.002. FEE AUTHORIZED. Until January 1, 2011, a municipality to which this chapter applies may, by ordinance, impose a fee of 10 cents on each individual serving or container of an alcoholic beverage sold to an ultimate consumer within the municipality.

Sec. 766.003. COLLECTION. The municipality may require a person licensed or permitted under the Alcoholic Beverage Code to sell alcoholic beverages for consumption on or off the licensed or permitted premises to collect the fee. A person required to collect the fee shall report and send the fee to the municipality as provided by the municipality.

Sec. 766.004. USE OF FEES FOR FIRE AND EMERGENCY SERVICES

1 AND ALCOHOL AWARENESS EDUCATION. A municipality that collects fees
2 under this chapter shall dedicate the fees to be used by the
3 municipality's fire and emergency medical services department to:

4 (1) provide additional equipment, staffing, and
5 training of personnel; and

6 (2) implement an alcohol awareness program in the
7 public schools in the municipality.

8 Sec. 766.005. REPORTING REQUIREMENT. (a) A municipality
9 that collects a fee under this chapter shall monitor the impact the
10 collection of the fee has on the municipality, including the impact
11 of:

12 (1) the additional funding provided to and implemented
13 by the fire and emergency medical services department; and

14 (2) the department's alcohol awareness program.

15 (b) On or before February 1 following each year in which the
16 fee is collected, the municipality shall report to the legislature:

17 (1) the amount of increased funding available to the
18 fire and emergency medical services department from the collected
19 fees during the previous year;

20 (2) whether during the previous year:

21 (A) the consumption of alcoholic beverages in the
22 municipality was reduced and whether the reduction can be
23 attributed to the collection of the fee;

24 (B) there was an increase in responsible behavior
25 among minors in the municipality that can be attributed to the
26 education program; and

27 (C) there has been a reduction in the number of

1 emergency responses to alcohol-related incidents; and
2 (3) the impact of the program on community involvement
3 and public relations with the fire and emergency services
4 department during the previous year.

5 Sec. 766.006. EXPIRATION. This chapter expires September
6 1, 2011.

7 SECTION 2. This Act takes effect September 1, 2005.