

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 23, 2005

TO: Honorable Kino Flores, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S. O'Brien, Deputy Director, Legislative Budget Board

IN RE: HB3196 by Denny (Relating to certain temporary wine and beer retailer's permits.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code as it relates to certain temporary beer and wine retailer's permits.

The bill would allow the Texas Alcoholic Beverage Commission (TABC) to issue a temporary wine and beer retailer's permit to the holder of a mixed beverage permit covering premises located in a facility with a seating capacity of more than 150,000 that is open to the public for use in areas of the facility not otherwise covered by a license or permit during a national professional motor vehicle racing event. The bill would prohibit TABC from issuing more than three temporary wine and beer retailer's permits to a mixed beverage permit holder in a calendar year. The bill would also restrict the temporary wine and beer retailer's permit holder from selling 1) alcoholic beverages between 2am and noon on Sunday, 2) alcoholic beverages in factory-sealed containers, 3) more than two drinks to a single customer at a time, 4) alcoholic beverages at more than 50 percent of the food and beverage concession stands open at any one time, and 5) alcoholic beverages after 75 percent of the last race of the day is complete.

The bill would take effective September 1, 2005.

Local Government Impact

No significant fiscal implication to units of local government is anticipated.

Source Agencies: 458 Alcoholic Beverage Commission

LBB Staff: JOB, JRO, VDS, SJ, LM