

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 7, 2005

TO: Honorable Robert Duncan, Chair, Senate Committee on State Affairs

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

IN RE: SB753 by Hinojosa (Relating to the liability of a social host for providing alcohol to a minor.), **As Introduced**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to make the provision or service of an alcoholic beverage by a social host to an individual under 18 years of age a basis of a statutory cause of action if it can be proved that at the time of the provision or service of the alcoholic beverage it was apparent to the social host the recipient of the beverage was obviously intoxicated to the extent that the recipient presented a clear danger to the recipient and others; and the intoxication of the recipient was a proximate cause of the damages suffered.

The bill would take effect September 1, 2005, and apply only to a cause of action that accrues on or after the effective date of the act.

Local Government Impact

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

Source Agencies: 458 Alcoholic Beverage Commission

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