

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 26, 2005

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB1246 by Brimer (Relating to local option elections in certain populous areas on the sale of mixed beverages by food and beverage establishments.), **As Passed 2nd House**

No significant fiscal implication to the State is anticipated.

The bill would require in certain counties that if the sale of mixed beverages in restaurants is not legal in all or part of the applicable political subdivisions, the political subdivision would be required to hold an election on the first uniform election date after the date on which the provisions of the bill first applied to the political subdivision to allow a vote on adopting the legal sale of mixed beverages in restaurants by certificate holders only.

If the option were to pass, the state fee for a permit granted under Section 28.02, Alcoholic Beverage Code, would be computed as if the permit holder's original private club permit and any renewal were mixed beverage permits. The same would apply to the local fee assessed under Section 11.38. If the option were to fail, the election would have no effect on the status of the municipality.

The bill would take effect 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, DLBa