

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

April 13, 2005

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

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 Introduced**

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.

The bill would take effect September 1, 2005.

Local Government Impact

The population requirements of the bill would apply to Dallas and Tarrant counties and the counties that are adjacent to those counties.

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

Source Agencies: 458 Alcoholic Beverage Commission

LBB Staff: JOB, JRO, DLBa