

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 25, 2005

TO: Honorable David Dewhurst, Lieutenant Governor, Senate

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

IN RE: SB1255 by Brimer (Relating to the number of certain alcoholic beverage permits and licenses that may be issued for a single location.), **As Passed 2nd House**

<p>No significant fiscal implication to the State is anticipated.</p>
--

The bill would amend the Alcoholic Beverage Code as it relates to the number of alcoholic beverage licenses that may be issued for a single location.

The bill would amend sections of the Alcoholic Beverage Code to allow certain permit holders (brewer, nonresident brewer, manufacturer, or nonresident manufacturer) to contract with another like-type permit holder for the use of their facilities. The bill would not require the permit holder to own its facilities and would allow more than one permit to be issued for a single location. The Texas Alcoholic Beverage Commission (TABC) estimates program modifications would cost \$6,000 in fiscal year 2006. TABC estimates form modifications would cost \$1,300 in fiscal year 2006. It is assumed that these modifications can be absorbed within existing resources.

The bill would define an original package, as applied to beer, as a container holding beer in bulk, or any box, crate, carton, or other device used in packing beer that is contained in bottles or other containers.

The bill would allow TABC to recover from the proceeds of a forfeiture sale, all costs of a forfeiture suit. The bill would also require TABC to destroy seized alcoholic beverages unfit for public consumption or of illicit manufacture.

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