

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 79TH LEGISLATIVE REGULAR SESSION

May 13, 2005

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

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

IN RE: SB1626 by Whitmire (Relating to local option elections to legalize or prohibit the sale of alcoholic beverages.), **Committee Report 2nd House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to require a petition requesting a local option election regarding the sale of alcoholic beverages for off-premise consumption only, to contain signatures by 35 percent of the registered voters in a subdivision who voted in the most recent gubernatorial election.

If the sale of wine is approved in the area by a local option election, a wine only package store permit may be issued.

The bill would take effect immediately if it receives the required two-thirds vote in each house; otherwise, it would take effect September 1, 2005.

Current statute requires the petition to contain signatures of 35 percent of the registered voters in the subdivision. The bill would reduce the number of signatures required, which could increase the likelihood that an election would have to be called.

If a local option election is held and the sale of wine is approved and, as a result, applications are submitted to the Texas Alcoholic Beverage Commission (TABC) for wine only package store permits, there could be an increase in permits issued, permit fees collected, and the agency's workload. It is assumed, however, that the fiscal impact of an increase in workload would be offset by the fees collected.

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