

BILL ANALYSIS

H.B. 1734
By: Goolsby
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Currently, the Texas Alcoholic Beverage Code and the Administrative Procedure Act conflict with each other in reference to the service of administrative orders of the agency.

H.B. 1734 harmonizes procedural provisions of the Texas Alcoholic Beverage Code with the Administrative Procedure Act (APA), by specifically adopting the sections of APA that relate to providing notice of a final decision in a contested case, and when a decision becomes final.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1734 requires notice of cancellation or suspension be given to a license holder or permittee as provided by Section 2001.142, Government Code and states that cancellation or suspension is final and effective as provided by Section 2001.144, Government Code.

H.B. 1734 will only apply to notice of a cancellation or suspension of an alcoholic beverage license or permit given on or after the effective date of this Act.

EFFECTIVE DATE

September 1, 2007.