

BILL ANALYSIS

H.B. 2348
By: Thompson
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Texas law prohibits a person within the fourth degree of consanguinity or affinity of permit holder or licensee whose license was cancelled may not apply for a license or permit in connection with an establishment at the same location as the establishment whose license or permit was canceled for a period of two years from the date of cancellation.

HB 2348 would increase the period by one additional year to three years from the date of cancellation in which a person can apply for a license or permit in connection with the establishment at the same location. HB 2348 seeks to provide greater protection for the public in the instance in which a license or permit that has been previously cancelled is transferred between family members. The time period under the statute would therefore be expanded from two years to three years.

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

HB 2348 increases the period to three years from the date of cancellation in which a person can apply for a license or permit in connection with the establishment at the same location.

EFFECTIVE DATE

Immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.