

## **BILL ANALYSIS**

S.B. 952  
By: Watson  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Current law prohibits restaurants from locating part of the establishment on the street side of the sidewalk where it would not be contiguous to the rest of the restaurant. As a result, employees serving alcohol cannot leave the restaurant and travel across the pedestrian walkway to reach the sidewalk café seating area.

S.B. 952 authorizes mixed beverage permit holders who hold a food and beverage certificate to designate, as part of the permit holder's premises, a secured noncontiguous area located on a public sidewalk adjoining the premises if the designation is authorized by city ordinance.

### **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**

SECTION 1. Amends Section 28.10, Alcoholic Beverage Code, by adding Subsection (c), as follows:

(c) Authorizes a mixed beverage permit holder who holds a food and beverage certificate to designate as part of the permit holder's premises a secured noncontiguous area located on a public sidewalk adjoining the premises if the designation is authorized by city ordinance. The ordinance may specify and limit the areas of the municipality in which this subsection is applicable. Alcoholic beverages may be delivered by an employee of the permit holder to patrons for consumption in the designated sidewalk area.

SECTION 2. Effective date: Immediately, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2007.

### **EFFECTIVE DATE**

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