

BILL ANALYSIS

S.B. 1257
By: Averitt
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Existing state law requires an establishment to have at least 10 separate and adequately furnished rooms to meet the definition of "hotel" under the Alcoholic Beverage Code. Being defined as a "hotel" under the Alcoholic Beverage Code provides an establishment with certain allowances customary of hotel operations, such as being able to deliver alcoholic beverages to guest rooms or being permitted to have mini-bars in the guest rooms.

Historic hotels, particularly in smaller towns, were not typically constructed to the larger size of hotels currently in use. Some historic hotels may not meet the 10 room definitional requirement, and are not allowed to operate under the same Alcoholic Beverage Code provisions as other hotels.

As proposed, S.B. 1257 provides that an establishment operating within a designated historic structure and with at least five adequately furnished completely separate rooms is considered a hotel under the Alcoholic Beverage Code.

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 Subdivision (8), Section 1.04, Alcoholic Beverage Code, to redefine "hotel" to include at least five adequately furnished completely separate rooms as described by Subparagraph (i) of this section if the building being used as a hotel is a historic structure as defined by Section 442.001, Government Code.

SECTION 2. Effective date: September 1, 2007.

EFFECTIVE DATE

September 1, 2007.