

By: Geren

H.B. No. 1469

A BILL TO BE ENTITLED

AN ACT

1
2 relating to local regulation of distance requirements for
3 businesses selling alcoholic beverages near a public school.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 38.007(b), Education Code, is amended to
6 read as follows:

7 (b) The board of trustees of a school district shall attempt
8 to provide a safe alcohol-free environment to students coming to or
9 going from school. The board of trustees may cooperate with local
10 law enforcement officials and the Texas Alcoholic Beverage
11 Commission in attempting to provide this environment and in
12 enforcing Sections 101.75, 109.33, and 109.59, Alcoholic Beverage
13 Code. Additionally, the board [~~if a majority of the area of a~~
14 ~~district is located in a municipality with a population of 900,000~~
15 ~~or more,~~] may petition the commissioners court of the county in
16 which the district is located or the governing board of an
17 incorporated city or town in which the district is located to adopt
18 a 1,000-foot zone under Section 109.33, Alcoholic Beverage Code.

19 SECTION 2. This Act takes effect immediately if it receives
20 a vote of two-thirds of all the members elected to each house, as
21 provided by Section 39, Article III, Texas Constitution. If this
22 Act does not receive the vote necessary for immediate effect, this
23 Act takes effect September 1, 2007.

COMMITTEE AMENDMENT NO. 1

Amend H.B. No. 1469 as follows:

(1) On page 1, line 5, strike "Section 38.007(b)" and substitute "Section 38.007".

(2) On page 1, line 5, between "is amended" and "to", insert "by amending Subsection (b) and adding Subsection (c)".

(3) On page 1, between lines 18 and 19, insert the following:

(c) The adoption of a zone under Subsection (b) does not prohibit the sale of alcoholic beverages at a location covered by a license or permit on the effective date of the zone's adoption, including the sale of alcoholic beverages at that location by a license or permit holder who is not the person who held the license or permit covering the location on the effective date of the zone's adoption.

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Jones