

1-1 By: Thompson (Senate Sponsor - Patrick) H.B. No. 2350
1-2 (In the Senate - Received from the House April 30, 2007;
1-3 May 2, 2007, read first time and referred to Committee on Business
1-4 and Commerce; May 10, 2007, reported favorably by the following
1-5 vote: Yeas 8, Nays 0; May 10, 2007, sent to printer.)

1-6 A BILL TO BE ENTITLED
1-7 AN ACT

1-8 relating to eligibility of certain persons for an alcoholic
1-9 beverage license or permit.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 11.44, Alcoholic Beverage Code, is
1-12 amended to read as follows:

1-13 Sec. 11.44. PREMISES INELIGIBLE FOR PERMIT OR LICENSE. (a)
1-14 If an order of suspension against a permit or license is pending or
1-15 unexpired, or if the commission has initiated action to cancel or
1-16 suspend a permit or license, no permit or license may be issued for
1-17 or transferred to the same licensed premises.

1-18 (b) The commission or administrator shall refuse to issue
1-19 for a period of three years a permit or license for any location to
1-20 an applicant who submitted a prior application that expired or was
1-21 voluntarily surrendered before the hearing on the application was
1-22 held on a protest involving allegations of prostitution, a
1-23 shooting, stabbing, or other violent act, or an offense involving
1-24 drugs. The three-year period commences on the date the prior
1-25 application expired or was voluntarily surrendered.

1-26 SECTION 2. The change in law made by this Act applies only
1-27 to an application for a license or permit submitted on or after the
1-28 effective date of this Act, regardless of the date on which a
1-29 previous application expired or surrendered. An application
1-30 submitted before the effective date of this Act is governed by the
1-31 law in effect immediately before the effective date of this Act, and
1-32 that law is continued in effect for that purpose.

1-33 SECTION 3. This Act takes effect September 1, 2007.

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