

By: Isett

H.B. No. 2710

A BILL TO BE ENTITLED

AN ACT

1
2 relating to renewal of certain alcoholic beverage permits held by a
3 corporation.

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

5 SECTION 1. Section 28.04(d), Alcoholic Beverage Code, is
6 amended to read as follows:

7 (d) This section does not apply to a change in corporate
8 control:

9 (1) brought about by the death of a shareholder if the
10 shareholder's [~~his~~] surviving spouse or descendants are the
11 shareholder's [~~his~~] successors in interest; or

12 (2) brought about when legal or beneficial ownership
13 of over 50 percent of the stock of the corporation has been
14 transferred:

15 (A) to a person who possesses the qualifications
16 required of other applicants for permits and is currently an
17 officer of the corporation and has been an officer of the
18 corporation ever since the date the original permit was issued; or

19 (B) if the permittee [~~pays a fee of \$500 and~~]
20 notifies the commission, on completed forms and attachments
21 prescribed by the commission, of the proposed transfer [~~at least 10~~
22 ~~days~~] prior to the date the transfer is to become effective and the
23 commission does not find that circumstances exist that would be
24 grounds for the denial of a renewal of the permit under Section

1 11.46 [~~of this code~~] and provided the ownership of the corporation
2 immediately after the transfer satisfies the requirements of this
3 code.

4 SECTION 2. The change in law made by this Act applies to
5 renewal of a mixed beverage permit that expires on or after the
6 effective date of this Act, regardless of when legal or beneficial
7 ownership of the corporation holding the permit changed.

8 SECTION 3. This Act takes effect September 1, 2007.