

By: Isett

H.B. No. 2710

A BILL TO BE ENTITLED

AN ACT

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

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

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

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

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

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

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

(B) if the permittee ~~[pays a fee of \$500 and]~~ notifies the commission, on completed forms and attachments prescribed by the commission, of the proposed transfer ~~[at least 10 days]~~ prior to the date the transfer is to become effective and the commission does not find that circumstances exist that would be 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.