

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION**

**February 23, 2007**

**TO:** Honorable Kino Flores, Chair, House Committee on Licensing & Administrative Procedures

**FROM:** John S. O'Brien, Director, Legislative Budget Board

**IN RE: HB815** by Dutton (Relating to the hours for selling alcoholic beverages in certain establishments.), **As Introduced**

<b>No significant fiscal implication to the State is anticipated.</b>
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The bill would amend the Alcoholic Beverage Code as it relates to the hours for selling alcoholic beverages in certain establishments.

Section 1 of the bill amends the Alcoholic Beverage Code, Section 105.01(a) which would add Alcoholic Beverage Code, Section 105.10 to the statutes that limit the selling, offer for sale, or delivery of any liquor on particular days and at certain times.

Section 2 of the bill amends Alcoholic Beverage Code, Section 105.06 (b) and (c) and adds section (f) which states an offense if a person consumes an alcoholic beverage or possesses with intent to consume in a public place during standard or extended hours areas except as provided by Alcoholic Beverage Code, Section 105.06 (f). Alcoholic Beverage Code, Section 105.06 (f) states that a person who is a registered guest of a hotel may consume or possess alcoholic beverages in the hotel bar as defined by Alcoholic Beverage Code, Section 105.10.

Section 3 of the bill adds Alcoholic Beverage Code, Section 105, Hours of Sale; Hotel Bar, which further defines the term "hotel bar" and states that a hotel bar may sell or offer for sale alcoholic beverages at any time to a registered guest of the hotel.

The bill would take effect on September 1, 2007.

The Alcoholic Beverage Commission determined that there would be no cost to the agency to implement the provisions of the bill. The Comptroller of Public Account's Office estimated these provisions would have positive alcoholic sales revenue for the state between \$207,000 and \$275,000 per year and between \$55,000 and \$68,000 per year for local governments. These additional revenues are not large increases to state revenues as a whole and therefore would not result in a significant fiscal impact to the State.

**Local Government Impact**

No significant fiscal implication to units of local government is anticipated.

**Source Agencies:** 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

**LBB Staff:** JOB, JRO, GG, LG