

**LEGISLATIVE BUDGET BOARD**

**Austin, Texas**

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

**April 30, 2007**

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

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

**IN RE: HB1469** by Geren (Relating to local regulation of distance requirements for businesses selling alcoholic beverages near a public school. ), **Committee Report 1st House, As Amended**

**No significant fiscal implication to the State is anticipated.**

The bill would amend the Education Code, Section 38 which would authorize all school district boards of trustees to petition the commissioners court of the county in which the district is located or the governing board of an incorporated city or town in which the district is located to adopt a 1,000-foot zone under Section 109.33, Alcoholic Beverage Code. The bill does not prohibit the sale of alcoholic beverages at the location covered by the permit on the effective date of the zone's adoption. The bill would take effect immediately if two-thirds of the House of Representatives and Senate members vote to enact the legislation. If it does not receive the vote necessary for immediate impact, the bill would take effect on September 1, 2007.

The Alcoholic Beverage Commission (TABC) states the fiscal impact would cost the state \$197,160 in 2008 and \$180,760 in 2009 including 3 FTEs per year for reviewing of potential renewal applications to implement the provisions of the bill. It is assumed the TABC costs could be absorbed within the agency's current appropriations 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. Current law provides the same authority to the boards of trustees of school districts that have a majority of the area of the district located in a municipality with a population of at least 900,000.

**Source Agencies:** 458 Alcoholic Beverage Commission, 701 Central Education Agency

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