

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

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

**May 3, 2007**

**TO:** Honorable Byron Cook, Chair, House Committee on Civil Practices

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

**IN RE: HB3029** by Frost (Relating to allocation of responsibility for damages arising out of the sale or service of alcoholic beverages.), **Committee Report 1st House, Substituted**

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

The bill would amend the Alcoholic Beverage Code relating to allocation of responsibility for damages arising out of the sale or service of alcoholic beverages.

The bill would amend the Alcoholic Beverage Code, Chapter 2 which states a provider of alcoholic beverages against whom damages are awarded in an action is jointly and severally liable for damages under this chapter. The bill provisions would not apply to providers of alcoholic beverages who: can show license, show sales constitute less than 50 percent of the yearly receipts, show the provider is mainly a food service establishment and does not contain a portion of the premises primarily for the consumption of alcoholic beverages. The bill would take effect immediately if it is passed by two-thirds votes of all members of each house. Otherwise, the bill would take effect on September 1, 2007 and apply only to an action commenced on or after the effective date of the Act.

The Texas Alcoholic Beverage Commission anticipates no significant fiscal impact on the department from the implementation of the bill.

**Local Government Impact**

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

**Source Agencies:** 458 Alcoholic Beverage Commission

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