

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 80TH LEGISLATIVE REGULAR SESSION

April 25, 2007

TO: Honorable Troy Fraser, Chair, Senate Committee on Business & Commerce

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

IN RE: SB1238 by Ellis (Relating to local regulation of the distance requirements for the sale and consumption of alcoholic beverages near certain homeless shelters.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

The bill would add Section 109.36 to Subchapter C of Chapter 109, Alcoholic Beverage Code, to authorize a county commissioners court to enact regulations applicable in areas of the county that are outside an incorporated city or town prohibiting the possession of an open container or the consumption of an alcoholic beverage on a public street, alley, or sidewalk within 1,000 feet of the property line of a homeless shelter that is not located in a central business district. The governing board of a town or city would have the same authorization within the town or city. If the county, town, or city enacts those regulations, they may also enact regulations allowing special temporary events for which those regulations may be suspended.

The bill would take effect September 1, 2007.

Local Government Impact

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

Source Agencies:

LBB Staff: JOB, JRO, DB