

BILL ANALYSIS

Senate Research Center
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C.S.S.B. 1399
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Business & Commerce
3/31/2009
Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, the Texas Alcoholic Beverage Commission (TABC) has procedures in place to prevent permit holders who are delinquent in payments for liquor from obtaining products illegally. These procedures include preventing a retailer from voluntarily canceling a permit or placing a permit in suspense or allowing a permit to be renewed or transferred if the retailer is delinquent.

C.S.S.B. 1399 prohibits TABC or the administrator for TABC from accepting the voluntary cancellation, suspension, or expiration of a permit, or the renewal or transfer of a permit, if the permit holder is delinquent in the payment of an account for the purchase of liquor. The bill also makes a person ineligible for a permit or license if the person has a permit that has expired or is cancelled by TABC until the person has cured any delinquency.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 102.32, Alcoholic Beverage Code, by adding Subsection (d-1), as follows:

(d-1) Prohibits the Texas Alcoholic Beverage Commission (TABC) or administrator for TABC from accepting the voluntary cancellation or suspension of a permit or allowing a permit to be renewed or transferred if the permit holder is delinquent in the payment of an account for liquor under this section. Provides that a person whose permit is cancelled by TABC or whose permit has expired is not eligible to hold any other permit or license under this code until the person has cured any delinquency of the person under this section.

SECTION 2. Effective date: upon passage or September 1, 2009.