

By: Geren

H.B. No. 1161

A BILL TO BE ENTITLED

AN ACT

relating to local regulation of distance requirements for businesses selling alcoholic beverages near certain establishments.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 109.59(b), Alcoholic Beverage Code, is amended to read as follows:

(b) On the sale or transfer of the premises or the business on the premises in which a new original license or permit is required for the premises, the premises shall be deemed to satisfy any distance requirements as if the issuance of the new original permit or license were a renewal of a previously held permit or license if the new permit or license is of the same type as the previously held permit or license.

SECTION 2. Section 38.007(b), Education Code, is amended to read as follows:

(b) The board of trustees of a school district shall attempt to provide a safe alcohol-free environment to students coming to or going from school. The board of trustees may cooperate with local law enforcement officials and the Texas Alcoholic Beverage Commission in attempting to provide this environment and in enforcing Sections 101.75, 109.33, and 109.59, Alcoholic Beverage Code. Additionally, the board [~~if a majority of the area of a district is located in a municipality with a population of 900,000~~]

1 ~~or more,~~] may petition the commissioners court of the county in
2 which the district is located or the governing board of an
3 incorporated city or town in which the district is located to adopt
4 a 1,000-foot zone under Section 109.33, Alcoholic Beverage Code.

5 SECTION 3. Section 109.59(c), Alcoholic Beverage Code, is
6 repealed.

7 SECTION 4. This Act takes effect immediately if it receives
8 a vote of two-thirds of all the members elected to each house, as
9 provided by Section 39, Article III, Texas Constitution. If this
10 Act does not receive the vote necessary for immediate effect, this
11 Act takes effect September 1, 2009.