

By: Pierson

H.B. No. 3331

A BILL TO BE ENTITLED

AN ACT

1
2 relating to local option alcoholic beverage elections in justice
3 precincts.

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

5 SECTION 1. Section 251.80, Alcoholic Beverage Code, is
6 amended by amending Subsection (a) and adding Subsection (a-1) to
7 read as follows:

8 (a) A local option election held in a justice precinct shall
9 be held in the territory comprising the justice precinct at the time
10 the election is held. If a justice precinct has established
11 [~~Whenever~~] a local option status as a result of a previous local
12 option election [is once legally put into effect as the result of
13 ~~the vote~~] in the [a] justice precinct, such status shall remain in
14 effect until the status is changed as the result of a subsequent
15 local option election [vote] in the [same territory that comprised
16 ~~the~~] precinct [~~when such status was established~~]. If the
17 boundaries of the justice precinct have changed since such status
18 was established, [~~the commissioners court shall, for purposes of~~] a
19 subsequent local option election will only change the local option
20 status in the territory that is part of the justice [, ~~define the~~
21 ~~boundaries of the original~~] precinct on the date of the subsequent
22 local option election. [A local option election may be held within
23 ~~the territory defined by the commissioners court as constituting~~
24 ~~such original precinct.~~]

1 (a-1) For purposes of a local option election, a newly
2 created justice precinct shall be considered to have not held a
3 local option election on the sale of alcoholic beverages. Any local
4 option status established in the territory comprising the new
5 justice precinct that resulted from a local option election held in
6 the territory when the territory was part of another justice
7 precinct remains in effect until that status is changed by a local
8 option election held in the new justice precinct.

9 SECTION 2. This Act takes effect September 1, 2009.