

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

**FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION**

**April 13, 2009**

**TO:** Honorable Edmund Kuempel, Chair, House Committee on Licensing & Administrative Procedures

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

**IN RE: HB617** by Isett (Relating to the possession of certain quantities of alcoholic beverages in a dry area.), **As Introduced**

<b>No fiscal implication to the State is anticipated.</b>
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The bill would amend the Alcoholic Beverage Code by repealing Section 101.32, removing the statutory provision indicating prima facie evidence of intent to sell through possession of more than one quart of liquor or more than 24 twelve-ounce bottles of beer in a dry area. The bill would take effect immediately if it receives a two-thirds vote of all the members in each house, otherwise it would take effect on September 1, 2009, and the bill would apply regardless of when the offense was committed, but only for trials commencing on or after the effective date.

The Texas Alcoholic Beverage Commission and the Department of Public safety indicate the bill will have no fiscal impact to either agency.

**Local Government Impact**

No fiscal implication to units of local government is anticipated.

**Source Agencies:** 405 Department of Public Safety, 458 Alcoholic Beverage Commission

**LBB Staff:** JOB, JRO, GG, ESi