

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 81ST LEGISLATIVE REGULAR SESSION

Revision 2

April 29, 2009

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

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

IN RE: HB3489 by Quintanilla (Relating to the grounds for a hearing concerning action on certain alcoholic beverage permits and licenses.), **Committee Report 1st House, Substituted**

No significant fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code, Subchapter C, Chapter 11 and Subchapter C, Chapter 61 to add provisions outlining the requirements necessary for the Texas Alcoholic Beverage Commission (TABC) to initiate a hearing regarding a TABC permit or license holder with the State Office of Administrative Hearings (SOAH). The bill outlines the requirements necessary for homeowners or tenants to obtain and provide a petition or resolution to TABC alleging the permit or license holder is using the premises in a manner that constitutes a common nuisance, other criminal acts occur on the premises in view of the public, or evidence showing a history of police responses to the premises. After TABC receives the permit, SOAH must attempt to mediate a resolution between the residents and the permit holder and determine whether to take certain further actions if the dispute is not resolved. The bill would take effect September 1, 2009. TABC and SOAH anticipate no significant fiscal impact to their agencies.

Local Government Impact

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

Source Agencies: 458 Alcoholic Beverage Commission, 360 State Office of Administrative Hearings

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