

BILL ANALYSIS

H.B. 1956
By: Thompson
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

According to concerned parties, the current deadline for a district court judge to conduct a trial on an appeal of an order of the Texas Alcoholic Beverage Commission (TABC) or its administrator refusing, canceling, or suspending a private club registration permit is unrealistic, given that the judge may need to review hundreds of pages of documents in order to make a decision. In addition, the deadline does not provide the attorney general, who represents the TABC in such appeals, sufficient time to prepare for trial. H.B. 1956 seeks to address those concerns by extending that deadline.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1956 amends the Alcoholic Beverage Code, in provisions providing exceptions to rules applicable to ordinary civil suits in an appeal from an order of the Texas Alcoholic Beverage Commission or its administrator refusing, cancelling, or suspending a private club registration permit, to extend from within 10 days from the filing of such an appeal to within 60 days of that filing the date by which all causes relating to the appeal must be tried before a judge of the district court of the county in which the private club is located.

EFFECTIVE DATE

September 1, 2011.