

AN ACT

relating to appeal of the certification of an area's wet or dry status.

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

SECTION 1. Section 11.37, Alcoholic Beverage Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other provision of this code, if the county clerk, city secretary, or city clerk certifies that the location or address given in the application is not in a wet area or refuses to issue the certification required by this section, the applicant is entitled to a hearing before the county judge to contest the certification or refusal to certify. The applicant must submit a written request to the county judge for a hearing under this subsection. The county judge shall conduct a hearing required by this subsection not later than the 30th day after the date the county judge receives the written request.

SECTION 2. Section 61.37, Alcoholic Beverage Code, is amended by adding Subsection (d) to read as follows:

(d) Notwithstanding any other provision of this code, if the county clerk, city secretary, or city clerk certifies that the location or address given in the application is not in a wet area or refuses to issue the certification required by this section, the applicant is entitled to a hearing before the county judge to contest the certification or refusal to certify. The applicant

1 must submit a written request to the county judge for a hearing
2 under this subsection. The county judge shall conduct a hearing
3 required by this subsection not later than the 30th day after the
4 date the county judge receives the written request.

5 SECTION 3. Sections 11.37(d) and 61.37(d), Alcoholic
6 Beverage Code, as added by this Act, apply only to a certification
7 issued or a refusal to certify made by a county clerk, city
8 secretary, or city clerk on or after the effective date of this Act.

9 SECTION 4. This Act takes effect September 1, 2011.

President of the Senate

Speaker of the House

I certify that H.B. No. 1959 was passed by the House on May 3, 2011, by the following vote: Yeas 142, Nays 2, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 1959 was passed by the Senate on May 24, 2011, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor