

By: Thompson

H.B. No. 1959

Substitute the following for H.B. No. 1959:

By: Kuempel

C.S.H.B. No. 1959

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to appeal of the certification of an area's wet or dry  
3 status.

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

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

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

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

19 (d) Notwithstanding any other provision of this code, if the  
20 county clerk, city secretary, or city clerk certifies that the  
21 location or address given in the application is not in a wet area or  
22 refuses to issue the certification required by this section, the  
23 applicant is entitled to a hearing before the county judge to  
24 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.