

1-1 By: Thompson (Senate Sponsor - Carona) H.B. No. 1959  
1-2 (In the Senate - Received from the House May 4, 2011;  
1-3 May 5, 2011, read first time and referred to Committee on Business  
1-4 and Commerce; May 18, 2011, reported favorably by the following  
1-5 vote: Yeas 8, Nays 0; May 18, 2011, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to appeal of the certification of an area's wet or dry  
1-9 status.

1-10 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-11 SECTION 1. Section 11.37, Alcoholic Beverage Code, is  
1-12 amended by adding Subsection (d) to read as follows:

1-13 (d) Notwithstanding any other provision of this code, if the  
1-14 county clerk, city secretary, or city clerk certifies that the  
1-15 location or address given in the application is not in a wet area or  
1-16 refuses to issue the certification required by this section, the  
1-17 applicant is entitled to a hearing before the county judge to  
1-18 contest the certification or refusal to certify. The applicant  
1-19 must submit a written request to the county judge for a hearing  
1-20 under this subsection. The county judge shall conduct a hearing  
1-21 required by this subsection not later than the 30th day after the  
1-22 date the county judge receives the written request.

1-23 SECTION 2. Section 61.37, Alcoholic Beverage Code, is  
1-24 amended by adding Subsection (d) to read as follows:

1-25 (d) Notwithstanding any other provision of this code, if the  
1-26 county clerk, city secretary, or city clerk certifies that the  
1-27 location or address given in the application is not in a wet area or  
1-28 refuses to issue the certification required by this section, the  
1-29 applicant is entitled to a hearing before the county judge to  
1-30 contest the certification or refusal to certify. The applicant  
1-31 must submit a written request to the county judge for a hearing  
1-32 under this subsection. The county judge shall conduct a hearing  
1-33 required by this subsection not later than the 30th day after the  
1-34 date the county judge receives the written request.

1-35 SECTION 3. Sections 11.37(d) and 61.37(d), Alcoholic  
1-36 Beverage Code, as added by this Act, apply only to a certification  
1-37 issued or a refusal to certify made by a county clerk, city  
1-38 secretary, or city clerk on or after the effective date of this Act.

1-39 SECTION 4. This Act takes effect September 1, 2011.

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