

By: Burnam

H.B. No. 2707

A BILL TO BE ENTITLED

AN ACT

1  
2 relating to the holding of an interest in certain alcoholic  
3 beverage licenses, permits, or premises by certain persons whose  
4 alcoholic beverage license or permit has been revoked.

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

6 SECTION 1. Subchapter B, Chapter 11, Alcoholic Beverage  
7 Code, is amended by adding Section 11.481 to read as follows:

8 Sec. 11.481. REFUSAL OF PERMIT AUTHORIZING ON-PREMISES  
9 CONSUMPTION. (a) The commission or administrator shall refuse to  
10 issue an original or renewal permit authorizing on-premises  
11 consumption, with or without a hearing, if the commission or  
12 administrator has reasonable grounds to believe and finds that a  
13 person who would or does have a financial interest in the permit or  
14 an interest in the premises for which the permit is sought  
15 previously held a license or permit under this code that was  
16 canceled or not renewed during the three years preceding the date  
17 the permit application was filed as a result of a shooting,  
18 stabbing, or other violent act or as a result of an offense  
19 involving drugs, prostitution, or human trafficking.

20 (b) This section does not apply to the issuance of an  
21 original or renewal permit authorizing on-premises consumption for  
22 a location that also holds a food and beverage certificate but does  
23 not hold a late hours permit.

24 SECTION 2. Section 61.42, Alcoholic Beverage Code, is

1 amended by adding Subsection (d) to read as follows:

2 (d) The county judge, commission, or administrator shall  
3 refuse to approve an original or renewal license authorizing  
4 on-premises consumption if the county judge, commission, or  
5 administrator has reasonable grounds to believe and finds that a  
6 person who would or does have a financial interest in the license or  
7 an interest in the premises for which the license is sought  
8 previously held a license or permit under this code that was  
9 canceled or not renewed during the three years preceding the date of  
10 the license application as a result of a shooting, stabbing, or  
11 other violent act or as a result of an offense involving drugs,  
12 prostitution, or human trafficking. This subsection does not apply  
13 to the issuance of an original or renewal license authorizing  
14 on-premises consumption for a location that holds a food and  
15 beverage certificate but does not hold a late hours license.

16 SECTION 3. The change in law made by this Act applies only  
17 to an application for an original license or permit that is filed on  
18 or after the effective date of this Act. An application filed  
19 before the effective date of this Act is governed by the law in  
20 effect immediately before that date, and that law is continued in  
21 effect for that purpose.

22 SECTION 4. This Act takes effect immediately if it receives  
23 a vote of two-thirds of all the members elected to each house, as  
24 provided by Section 39, Article III, Texas Constitution. If this  
25 Act does not receive the vote necessary for immediate effect, this  
26 Act takes effect September 1, 2011.