

LEGISLATIVE BUDGET BOARD

Austin, Texas

FISCAL NOTE, 82ND LEGISLATIVE REGULAR SESSION

April 21, 2011

TO: Honorable Mike Hamilton, Chair, House Committee on Licensing & Administrative Procedures

FROM: John S O'Brien, Director, Legislative Budget Board

IN RE: HB1959 by Thompson (Relating to appeal of the certification of an area's wet or dry status.),
Committee Report 1st House, Substituted

No fiscal implication to the State is anticipated.

The bill would amend the Alcoholic Beverage Code to provide that an applicant would be entitled to a hearing before a county judge if the county clerk, the city secretary or the city clerk refuses to certify a location for a permit or license that is not in a wet area or is prohibited by charter or ordinance. The county judge would be required to conduct a hearing within 30 days after the county judge receives a written request.

Local Government Impact

Dallas County reported there would be estimated costs for salaries and benefits for three additional employees (\$209,001) in fiscal year 2012 with amounts increasing in subsequent fiscal years. The amount would be a 75 percent increase in the department's current fiscal year budget of \$375,376.

Harris County reported there would be estimated costs for salaries and benefits for one new employee (\$88,940); equipment and furnishings (\$4,000); and postage and express shipping (\$2,500) in fiscal year 2012 with amounts increasing in subsequent fiscal years. The county also noted that the bill could result in hearings for appeals of rulings that a liquor enterprise may not receive a license to serve alcohol because of the location in a dry area. Harris County's experience is that roughly 20 percent to 25 percent of the duties may be handled by the county due to the size and population.

Source Agencies: 458 Alcoholic Beverage Commission

LBB Staff: JOB, AG, TP