

BILL ANALYSIS

H.B. 2378
By: Geren
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties explain that the Texas Alcoholic Beverage Commission or a county judge may refuse to issue or renew certain alcoholic beverage permits and licenses if substantial evidence exists that the manner in which the applicant or licensee conducts business does not benefit the general welfare, health, peace, morals, and safety of the local community. To maintain this standard, the parties believe if a retailer's alcoholic license or permit application is refused, there should be a one-year waiting period before a person may reapply. H.B. 2378 seeks to impose this waiting period.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 2378 amends the Alcoholic Beverage Code to require the Texas Alcoholic Beverage Commission (TABC), the TABC administrator, or the county judge, as applicable, to refuse to approve or issue an original permit or license, as applicable, authorizing the retail sale of alcoholic beverages before the first anniversary of the date an original or renewal license or permit application filed by the same applicant for the same premises is refused, unless the condition that caused the refusal is addressed or resolved.

EFFECTIVE DATE

September 1, 2013.