

**LEGISLATIVE BUDGET BOARD**  
**Austin, Texas**

**FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION**

**March 19, 2013**

**TO:** Honorable Wayne Smith, Chair, House Committee On Licensing & Administrative Procedures

**FROM:** Ursula Parks, Director, Legislative Budget Board

**IN RE: HB1622** by Stickland (Relating to the alcoholic beverage licenses and permits that may be issued in an area that has approved the sale of mixed beverages.), **As Introduced**

The change in law could reduce tax revenue in some areas. Any revenue losses, however, could be offset by new businesses applying for a permit or license to sell beer and/or wine. Therefore, there could be an indeterminate fiscal impact to the state.

The bill would amend the Alcoholic Beverage Code regarding licenses and permits that may be issued in an area that has been approved for the sale of mixed beverages.

The bill would amend Chapters 25 (wine and beer retailer's permit), 69 (retail dealer's on-premise license), and 70 (retail dealer's on-premise late hours license) to allow the specified permit and licenses to be issued for a premises in an area where the voters have approved both (1) the legal sale of beer and wine for off-premise consumption only and (2) the legal sale of mixed beverages.

This change in law could reduce tax revenue in some areas where businesses currently paying the 14 percent mixed beverage gross receipts tax, required by their mixed beverage permit, switch to a less expensive license or permit that would allow them to sell beer and/or wine and to pay the lower sales tax rate on those sales. Any revenue losses, however, could be offset by new businesses applying for a permit or license to sell beer and/or wine, which previously had no alcoholic beverage permit.

The bill would take effect September 1, 2013.

**Local Government Impact**

The fiscal impact on local units of government cannot be determined.

**Source Agencies:** 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission  
**LBB Staff:** UP, RB, SD, AG