

BILL ANALYSIS

H.B. 2533
By: Goldman
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

While the Alcoholic Beverage Code provides for an offense relating to offensive noise at an establishment controlled by the holder of an alcoholic beverage license or permit, interested parties assert that law enforcement rarely uses this particular law as officers typically issue a citation for disorderly conduct under the Penal Code to address the issue. H.B. 2533 seeks to repeal the assertedly less-used Alcoholic Beverage Code provision to deter any confusion on which penalty should be exercised.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

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. 2533 repeals Section 101.62, Alcoholic Beverage Code, which prohibits an alcoholic beverage licensee or permittee, on premises under the licensee's or permittee's control, from maintaining or permitting a radio, television, amplifier, piano, phonograph, music machine, orchestra, band, singer, speaker, entertainer, or other device or person that produces, amplifies, or projects music or other sound that is loud, vociferous, vulgar, indecent, lewd, or otherwise offensive to persons on or near the licensed premises.

EFFECTIVE DATE

September 1, 2015.