

BILL ANALYSIS

H.B. 2735
By: Capriglione
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Reports indicate that a number of municipalities face the issue of having annexed small portions of land many years after an initial local beer and wine sales election, and interested parties note that the municipality may need to go through the expensive process of holding another local option election if a developer wants to develop the land and include a box store to sell beer and wine. In order to alleviate this issue, H.B. 2735 seeks to amend the law relating to local option status.

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. 2735 amends the Alcoholic Beverage Code to authorize the governing body of a municipality whose local option status allows for the legal sale of beer and wine for off-premise consumption only as a result of a local option election on the applicable ballot issue held on or after January 1, 1985, to adopt an ordinance authorizing the sale of beer and wine for off-premise consumption in an area annexed by the municipality after that election if at the time the ordinance is adopted the annexed area is not more than one percent of the total area covered by the municipality, all of the land in the annexed area is zoned for commercial use only, and the annexed area is not adjacent to residential, church, or school property.

H.B. 2735 applies to an area annexed or acquired by a municipality before, on, or after the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2015.