

BILL ANALYSIS

C.S.H.B. 3709
By: Murr
Licensing & Administrative Procedures
Committee Report (Substituted)

BACKGROUND AND PURPOSE

An increasing number of grocery stores are incorporating restaurants in the same footprint as the traditional grocery, and concerns have been raised that certain Texas Alcoholic Beverage Commission rules hinder such a store's ability to employ cashiers who are 16 and 17 years old. Interested parties report that the impact of these rules is particularly hard felt in small towns that rely on grocery stores to employ the community's high school-age population. These parties further explain that grocery stores tend to hold off-premises consumption permits under which grocery store cashiers can be employed at the age of 16 and older and are permitted to sell alcohol for off-premises consumption. However, to offer certain additional services, including growlers or the service of beer and wine with food for on-premises consumption, the grocery store must hold a different permit and with that permit the cashiers must be at least 18 years old to sell alcohol. C.S.H.B. 3709 seeks to address this issue by amending the applicable law.

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

C.S.H.B. 3709 amends the Alcoholic Beverage Code to authorize the holder of a permit or license providing for the on-premises consumption of alcoholic beverages that derives less than 50 percent of its gross receipts for the premises from the sale or service of alcoholic beverages to employ a person under 18 years of age to work as a cashier for transactions involving the sale of alcoholic beverages if the alcoholic beverages are served by a person 18 years of age or older.

EFFECTIVE DATE

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

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 3709 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.