

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 84TH LEGISLATIVE REGULAR SESSION

May 5, 2015

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

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: SB367 by Garcia (Relating to the unauthorized use of an alcoholic beverage permit or license; providing a criminal penalty.), **As Engrossed**

<p>No significant fiscal implication to the State is anticipated.</p>
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The bill would amend the Alcoholic Beverage Code to create to a new criminal offense related to the unlawful display or use of a permit or license. The new offense would be a Class B Misdemeanor, unless it was shown at trial that the person had previously been convicted of the offense, in which case the offense would be a Class A Misdemeanor. The bill also contains provisions related to the refusal and cancellation of certain permits and licenses. Based on the analysis of the Texas Alcoholic Beverage Commission, duties and responsibilities associated with implementing the provisions of the bill could be accomplished by utilizing existing resources.

The bill would become effective on September 1, 2015.

Local Government Impact

A Class B misdemeanor is punishable by a fine of not more than \$2,000, confinement in jail for a term not to exceed 180 days, or both. A Class A misdemeanor is punishable by a fine of not more than \$4,000, confinement in jail for a term not to exceed one year, or both. Costs associated with enforcement, prosecution, and confinement could likely be absorbed with existing resources. Revenue from fines imposed and collected is not anticipated to have a significant fiscal impact.

Source Agencies: 458 Alcoholic Beverage Commission

LBB Staff: UP, CL, AI, JHa