

By: Hinojosa

S.B. No. 1391

A BILL TO BE ENTITLED

AN ACT

relating to penalties imposed on a holder of an alcoholic beverage license or permit on the basis of a criminal prosecution.

BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

SECTION 1. Section 11.641(c), Alcoholic Beverage Code, is amended to read as follows:

(c) A civil penalty~~[, including cancellation of a permit,]~~ may not be imposed on the holder of a permit or license on the basis of a criminal prosecution in which the defendant was found not guilty, the criminal charges were dismissed, or there has not been final adjudication except for allegations of an offense that affects the public safety, including:

(1) a breach of the peace;

(2) an offense relating to the trafficking of persons;

(3) an offense relating to the hours of sale or consumption of alcohol;

(4) a drug-related offense;

(5) an offense relating to the sale, service, or delivery of an alcoholic beverage to an intoxicated person;

(6) an offense relating to the permit holder or an employee of the permit holder being intoxicated on the permitted premises; or

(7) an offense relating to the sale, service, or delivery of an alcoholic beverage to a minor or the employment of a

1 minor.

2           SECTION 2. Section 11.641(c), Alcoholic Beverage Code, as  
3 amended by this Act, applies only to the imposition of a penalty for  
4 a violation that occurs on or after the effective date of this Act.  
5 The imposition of a penalty for a violation that occurs before the  
6 effective date of this Act is governed by the law in effect  
7 immediately before the effective date of this Act, and that law is  
8 continued in effect for that purpose.

9           SECTION 3. This Act takes effect September 1, 2017.