

## **BILL ANALYSIS**

C.S.H.B. 234  
By: Krause  
State Affairs  
Committee Report (Substituted)

### **BACKGROUND AND PURPOSE**

Concerns have been raised regarding local regulation of the sale of lemonade or other beverages by children and the effect such regulation may have on preventing children from becoming entrepreneurs. C.S.H.B. 234 seeks to address these concerns by prohibiting the adoption or enforcement of certain local ordinances, orders, or rules relating to operating certain businesses, such as a lemonade stand.

### **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. 234 amends the Local Government Code to prohibit a municipality, county, or other local public health authority from adopting or enforcing an ordinance, order, or rule that prohibits or regulates, including by requiring a license, permit, or fee, the occasional sale of lemonade or other nonalcoholic beverages from a stand on private property by an individual younger than 18 years of age.

### **EFFECTIVE DATE**

September 1, 2019.

### **COMPARISON OF ORIGINAL AND SUBSTITUTE**

While C.S.H.B. 234 may differ from the original in minor or nonsubstantive ways, the following summarizes the substantial differences between the introduced and committee substitute versions of the bill.

The substitute includes a prohibition against the regulation of the occasional sale of lemonade or nonalcoholic beverages.