

BILL ANALYSIS

H.B. 2172
By: Thompson, Senfronia
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

It has been suggested that drink solicitation is typically a precursor or strong indicator of organized criminal activity, such as human trafficking. Concerns have been raised regarding the inability of the Texas Alcoholic Beverage Commission (TABC) to refuse to issue an alcoholic beverage license for a period of time if the location or license holder has been associated with drink solicitation, as TABC may do for other certain types of criminal activity. H.B. 2172 seeks to address this issue by including drink solicitation as a grounds for refusal of certain alcoholic beverage licenses and permits.

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. 2172 amends the Alcoholic Beverage Code to include an offense involving drink solicitation as mandatory grounds for the refusal of certain alcoholic beverage permits and licenses in the following circumstances:

- refusal by the Texas Alcoholic Beverage Commission (TABC) or the TABC administrator to issue for a three-year period a permit or license for any location to an applicant who submitted a prior application that expired or was voluntarily surrendered before the hearing on the application was held on a protest involving allegations of certain acts or offenses; and
- refusal by the county judge, TABC, or the TABC administrator to approve or issue, as applicable, for a one-year period after cancellation of certain permits and licenses for a premises where a license or permit has been canceled during the preceding 12 months as a result of certain acts or offenses.

EFFECTIVE DATE

September 1, 2019.