

BILL ANALYSIS

C.S.H.B. 4542
By: Guillen
Ways & Means
Committee Report (Substituted)

BACKGROUND AND PURPOSE

It has been noted that there is no reliable cross-check of the sales tax paid when a brewpub sells alcohol to the ultimate consumer. C.S.H.B. 4542 seeks to address this issue and ensure the state is receiving the proper amount of tax revenue by increasing data collection from brewpubs.

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. 4542 amends the Tax Code to include a person required to hold a brewpub license among the persons considered to be a retailer for purposes of provisions establishing certain sales and use taxes reporting requirements. The bill clarifies the applicability of those provisions to a licensed brewpub and requires each licensed brewpub to file with the comptroller of public accounts a monthly report of alcoholic beverage sales to retailers in Texas in the same manner as does, and subject to the same penalties and enforcement activities prescribed for, a brewer, manufacturer, wholesaler, or distributor.

EFFECTIVE DATE

September 1, 2019.

COMPARISON OF ORIGINAL AND SUBSTITUTE

C.S.H.B. 4542 differs from the original in minor or nonsubstantive ways by conforming to certain bill drafting conventions.