

By: Thompson of Harris

H.B. No. 2172

A BILL TO BE ENTITLED

1 AN ACT
2 relating to grounds for refusal of certain alcoholic beverage
3 licenses and permits.

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

5 SECTION 1. Section 11.44(b), Alcoholic Beverage Code, is
6 amended to read as follows:

7 (b) The commission or administrator shall refuse to issue
8 for a period of three years a permit or license for any location to
9 an applicant who submitted a prior application that expired or was
10 voluntarily surrendered before the hearing on the application was
11 held on a protest involving allegations of prostitution, a
12 shooting, stabbing, or other violent act, or an offense involving
13 drugs, ~~or~~ trafficking of persons, or drink solicitation as
14 described by Section 104.01. The three-year period commences on
15 the date the prior application expired or was voluntarily
16 surrendered.

17 SECTION 2. Section 11.46(c), Alcoholic Beverage Code, is
18 amended to read as follows:

19 (c) The commission or administrator shall refuse to issue
20 for a period of one year after cancellation a mixed beverage permit
21 or private club registration permit for a premises where a license
22 or permit has been canceled during the preceding 12 months as a
23 result of:

24 (1) a shooting, stabbing, or other violent act; 7 or

1 (2) [~~as a result of~~] an offense involving drugs,
2 prostitution, [~~or~~] trafficking of persons, or drink solicitation as
3 described by Section 104.01.

4 SECTION 3. Section 61.42(c), Alcoholic Beverage Code, is
5 amended to read as follows:

6 (c) The county judge, commission, or administrator shall
7 refuse to approve or issue for a period of one year a retail
8 dealer's on-premise license or a wine and beer retailer's permit for
9 a premises where a license or permit has been canceled during the
10 preceding 12 months as a result of:

11 (1) a shooting, stabbing, or other violent act; [~~or~~] or

12 (2) [~~as a result of~~] an offense involving drugs,
13 prostitution, [~~or~~] trafficking of persons, or drink solicitation as
14 described by Section 104.01.

15 SECTION 4. Sections 11.44(b), 11.46(c), and 61.42(c),
16 Alcoholic Beverage Code, as amended by this Act, apply to an
17 application for an alcoholic beverage permit or license filed on or
18 after the effective date of this Act or pending on the effective
19 date of this Act.

20 SECTION 5. This Act takes effect September 1, 2019.