

By: Thompson of Harris

H.B. No. 436

A BILL TO BE ENTITLED

AN ACT

relating to grounds for refusal of certain alcoholic beverage licenses and permits.

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

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

(b) The commission shall deny an application for a permit or license for any location of 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 prostitution, a shooting, stabbing, or other violent act, or an offense involving drugs, ~~or~~ trafficking of persons, or drink solicitation as described by Section 104.01 before the third anniversary of the date the prior application expired or was voluntarily surrendered.

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

(c) The commission shall deny for a period of one year after cancellation an application for a mixed beverage permit or private club registration permit for a premises where a license or permit has been canceled during the preceding 12 months as a result of:

- (1) a shooting, stabbing, or other violent act; ~~or~~ or
- (2) ~~as a result of~~ an offense involving drugs, prostitution, ~~or~~ trafficking of persons, or drink solicitation as

1 described by Section 104.01.

2 SECTION 3. Section 61.42(c), Alcoholic Beverage Code, as  
3 effective September 1, 2021, is amended to read as follows:

4 (c) The commission shall deny for a period of one year an  
5 application for a retail dealer's on-premise license or a wine and  
6 malt beverage retailer's permit for a premises where a license or  
7 permit has been canceled during the preceding 12 months as a result  
8 of:

9 (1) a shooting, stabbing, or other violent act; ~~or~~ or

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

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

18 SECTION 5. This Act takes effect September 1, 2021.