

By: Thompson of Harris

H.B. No. 3897

A BILL TO BE ENTITLED

AN ACT

relating to fees levied by municipalities and counties for alcoholic beverage permits and licenses.

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

SECTION 1. Section 11.38(a), Alcoholic Beverage Code, as effective September 1, 2021, is amended to read as follows:

(a) The governing body of a city or town may levy and collect a fee for each permit issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee for each permit issued for premises located within the county. The fees authorized by this subsection may not exceed one-half of the fee set by rule [~~the statutory fee provided in this code as of August 31, 2021,~~] for the permit issued. Those authorities may not levy or collect any other fee or tax from the permittee except general ad valorem taxes, the hotel occupancy tax levied under Chapter 351, Tax Code, and the local sales and use tax levied under Chapter 321, Tax Code.

SECTION 2. Section 61.36(a), Alcoholic Beverage Code, as effective September 1, 2021, is amended to read as follows:

(a) The governing body of an incorporated city or town may levy and collect a fee for each license issued for premises located within the city or town. The commissioners court of a county may levy and collect a fee for each license issued for premises located within the county. The fees authorized by this subsection may not

1 exceed one-half of the fee set by rule [~~the statutory fee provided~~
2 ~~in this code as of August 31, 2021,~~] for the license issued. Those
3 authorities may not levy or collect any other fee or tax from the
4 licensee except general ad valorem taxes, the hotel occupancy tax
5 levied under Chapter 351, Tax Code, and the local sales and use tax
6 levied under Chapter 321, Tax Code.

7 SECTION 3. This Act takes effect September 1, 2021.