

BILL ANALYSIS

H.B. 558
By: Raymond
State Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

The Veterans of Foreign Wars (VFW) of Texas is an organization of U.S. war veterans who, as military service members, fought in wars, campaigns, and expeditions on foreign land, waters, or airspace. These are the very men and women who defend our freedoms and liberty with their service. Each year, the VFW members work on thousands of community service projects. They host Little League baseball leagues at their posts, they have Boy and Girl Scout Troop meetings at their halls, and many other events important to communities across Texas. In many ways, the members' service continues today. Yet to continue their good works, VFW posts must remain open.

When responding to the post-reopening coronavirus surge in Texas in 2020, the governor issued an executive order requiring any business that gets 51 percent or more of its revenue from alcohol sales to close. Because many of the VFW posts in Texas have a liquor license issued by the Texas Alcoholic Beverage Commission and generate revenue through alcohol sales, a number of VFW posts were forced to close in response to that executive order. Legislation is needed to prevent VFW posts from being included in any regulation issued by the executive branch during a declared emergency that restricts the operations of a business that sells alcoholic beverages.

H.B. 558 seeks to prohibit any such executive order that restricts the operation of or the hours of operation for a business that sells alcoholic beverages from including a tax-exempt organization that benefits veterans of the U.S. armed forces.

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. 558 amends the Government Code to prohibit an executive order, proclamation, or regulation issued by the governor under the Texas Disaster Act of 1975 that restricts the operation of or the hours of operation for a business that sells alcoholic beverages from including a tax-exempt organization that benefits veterans of the U.S. armed forces. This prohibition applies only to a declaration of a state of disaster issued or renewed on or after the bill's effective date.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2023.