

BILL ANALYSIS

Senate Research Center
88R3055 BEF-D

S.B. 341
By: Springer
Finance
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Nonprofit organizations, as defined by Section 30.01 of the Alcoholic Beverage Code, can apply for a Nonprofit Entity Temporary Event Permit (NT). Under permits in statute as read by the Comptroller, all nonprofit permits are Mixed Beverage Permits, which cost more and lessen the proceeds to non-profits even when they sell only beer and wine. The bill changes the definition of "permittee" to allow non-profits that only sell beer and wine at their event to remit taxes for only the beer and wine, instead of remitting taxes at the higher mixed beverage tax rate.

As proposed, S.B. 341 amends current law relating to the applicability of the mixed beverage gross receipts tax and the mixed beverage sales tax to items sold by certain nonprofit entity temporary event permittees.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 183.001(b)(1), Tax Code, to redefine "permittee" to provide that the term does not include certain nonprofit entity temporary event permittees.

SECTION 2. Provides that the change in law made by this Act does not affect tax liability accruing before the effective date of this Act. Provides that liability continues in effect as if this Act had not been enacted, and the former law is continued in effect for the collection of taxes due and for civil and criminal enforcement of the liability for those taxes.

SECTION 3. Effective date: September 1, 2023.