

## **BILL ANALYSIS**

S.B. 371  
By: Watson  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

Interested parties question the utility of the authority of county judges, the Texas Alcoholic Beverage Commission (TABC), or the TABC administrator to deny, cancel, or suspend certain alcoholic beverage licenses, as applicable, based on noncompliance with certain running water and restroom requirements. The parties contend that such authority is not the most appropriate mechanism for the enforcement of such requirements. S.B. 371 seeks to address this issue by revising the grounds on which certain alcoholic beverage licenses may be refused, cancelled, or suspended.

### **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**

S.B. 371 amends the Alcoholic Beverage Code to remove from the grounds on which a county judge may refuse to approve an application for a retailer or distributor license and from the grounds for cancellation or suspension by the Texas Alcoholic Beverage Commission (TABC) or the TABC administrator of an original or renewal retail dealer's on-premise or off-premise license a finding that the applicable premises does not have running water, if it is available, or does not have properly identified separate toilets for males and females or, if the premises is a restaurant that derives less than 50 percent of its gross revenue from the sale of alcohol, is 2,500 square feet or less, and has an occupancy rating of 50 persons or less, at least one properly identified toilet.

### **EFFECTIVE DATE**

September 1, 2017.