

BILL ANALYSIS

H.B. 2792
By: Goldman
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Concerns have been raised regarding the conduct that constitutes an offense for making a false statement or false representation in certain applications, reports, and instruments to be filed with the Texas Alcoholic Beverage Commission. It has been suggested that the offense does not account for accidental anomalies in the permit or license application process, leaving state law cumbersome and problematic from a simple human error standpoint. H.B. 2792 seeks to address this issue by establishing the requisite state of mind for such an offense.

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. 2792 amends the Alcoholic Beverage Code to establish "knowingly" as the requisite state of mind for the commission of an offense of making a false statement or false representation in certain sworn documents filed with the Texas Alcoholic Beverage Commission.

EFFECTIVE DATE

September 1, 2019.