

BILL ANALYSIS

Senate Research Center

C.S.S.B. 222
By: Gallegos
Economic Development
3/24/1999
Committee Report (Substituted)

DIGEST

Currently, Texas law requires the Texas Alcoholic Beverage Commission or administrator to suspend a license issued under the Code for certain violations. C.S.S.B. 222 would provide that a permittee or licensee who authorizes, permits, or induces a person younger than 18 years of age to dance with or for another person in exchange for a benefit at their establishment faces a Class A misdemeanor. This bill also requires certain suspensions and possible cancellation of a permit or license to sell alcoholic beverages upon conviction of certain offenses.

PURPOSE

As proposed, C.S.S.B. 222 establishes certain prohibited activities, by persons younger than 18 years of age conducted on premises covered by an alcoholic beverage license or permit, and provides penalties.

RULEMAKING AUTHORITY

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

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 11.64(a), Alcoholic Beverage Code, to require the Texas Alcoholic Beverage Commission or administrator to determine whether the permittee or licensee may have the opportunity to pay a civil penalty rather than having the permit or license suspended, if the permittee or licensee violates Section 106.15. Makes a conforming change.

SECTION 2. Amends Chapter 106, Alcohol Beverage Code, by adding Section 106.15, as follows:

Sec. 106.15. PROHIBITED ACTIVITIES BY PERSONS YOUNGER THAN 18. Establishes that a permittee or licensee commits an offense if the person employs, authorizes, permits, or induces a person younger than 18 years of age to dance with another person in exchange for a benefit on the premises covered by the permit or license. Specifies that an offense under Subsection (a) is a Class A misdemeanor. Requires suspension or cancellation of the permit or license providing certain conditions, in addition to a penalty. Establishes that this section does not apply to a gift or benefit given for a dance at a wedding, anniversary or similar event. Provides that a person does not commit an offense if the person younger than 18 years of age falsely represents the person's age as over 18 with identification that appears to be a valid Texas driver's license or an identification card containing a description consistent with the person's appearance.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.

SUMMARY OF COMMITTEE CHANGES

SECTION 1.

Amends Section 106.15, Alcoholic Beverage Code, to establish that a permittee or licensee commits an offense if the person employs, authorizes, permits, or induces a person younger than 18 years of age to dance with another person in exchange for a benefit on the premises covered by the permit or license. Establishes that this section does not apply to a gift or benefit given for a dance at a wedding, anniversary, or similar event.

