

BILL ANALYSIS

Senate Research Center
77R203 MCK-D

H.B. 269
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Business & Commerce
4/25/2001
Engrossed

DIGEST AND PURPOSE

Under current Texas law, an offender selling alcohol in a dry area, a practice commonly referred to as bootlegging, is only ticketed and subject to a minimal fine. Since there are no extended repercussions for an offender committing the crime multiple times, a repeat offender might consider the penalty as an insignificant service fee and continue committing what can be a profitable offense. H.B. 269 establishes the penalty for bootlegging as a Class B misdemeanor, and as a state jail felony for multiple convictions of bootlegging.

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 101.31, Alcoholic Beverage Code, to provide that an offense under this section is a Class B misdemeanor. Provides that if it is shown on the trial of an offense under this section that the person has previously been convicted two or more times of an offense under this section, the offense is a state jail felony.

SECTION 2. Effective date: September 1, 2001.
Makes application of this Act prospective.