

BILL ANALYSIS

Senate Research Center
77R1675 MCK-D

H.B. 402
By: Giddings (Carona)
Health & Human Services
4/26/2001
Engrossed

DIGEST AND PURPOSE

The Texas Alcoholic Beverage Commission (TABC) is responsible for issuing many different beer and liquor permits, licenses, and certificates for the sale and distribution of alcohol. One type of permit authorized by the TABC is a medicinal permit that allows the holder to buy or dispense liquor at his or her pharmacy for medicinal purposes only with a prescription written by a physician. A corresponding permit is the physician's permit that allows a doctor to write prescriptions for liquor for medical purposes. Although no one has applied for either permit in several decades, the TABC must continue to carry information on each license, retain the ability to print permits, and retain specific function codes in its database. H.B. 402 eliminates the medicinal and physician's liquor permits.

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 11.39(a), Alcoholic Beverage Code, to delete a reference to a pharmacists' medicinal permits.

SECTION 2. Amends Section 109.53, Alcoholic Beverage Code, to delete a reference to medicinal permits.

SECTION 3. Amends Section 201.71, Alcoholic Beverage Code, to delete a reference to Subchapter D of this chapter.

SECTION 4. (a) Repealers: Chapters 39 (Medicinal Permit) and 40 (Physician's Permit), Alcoholic Beverage Code.

(b) Repealers: Chapter 201D (Tax on Liquor Prescriptions), Alcoholic Beverage Code.

SECTION 5. Effective date: September 1, 2001.