

BILL ANALYSIS

Senate Research Center
78R4853 MCK-F

H.B. 1056
By: Hamilton (Williams)
Business & Commerce
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Engrossed

DIGEST AND PURPOSE

Currently, Texas law allows a person under 18 years of age to work in a mixed beverage establishment in a capacity that does not involve selling, preparing, or serving mixed beverages. However, this provision is limited to mixed beverage establishments. H.B. 1056 extends the authorization for hiring persons under 18 to all on-premise operations, including acting as a cashier, as long as the employee's duties do not involve selling, preparing, or serving alcoholic beverages.

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 106.09, Alcoholic Beverage Code, by amending Subsections (a) and (c) and adding Subsection (e), as follows:

- (a) Includes a reference to Subsection (e). Makes nonsubstantive changes.
- (c) Authorizes a holder of a permit or license providing for the on-premises consumption of alcoholic beverages to employ a person under 18 years of age to work in any capacity other than the actual selling, preparing, or serving of alcoholic beverages, rather than mixed beverages.
- (e) Authorizes a holder of a permit, rather than a mixed beverage permit, or license providing for the on-premises consumption of alcoholic beverages who also holds a food and beverage certificate to employ a person under 18 years of age to work as a cashier for transactions involving the sale of alcoholic beverages if the alcoholic beverages are served by a person 18 years of age or older.

SECTION 2. (a) Effective date: September 1, 2003.

- (b) Makes application of this Act prospective. Provides that for purposes of this section, an offense was committed before the effective date of this Act if any element of the offense occurred before that date.