

BILL ANALYSIS

Senate Research Center

C.S.S.B. 1626
By: Whitmire
Business & Commerce
4/14/2005
Committee Report (Substituted)

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

Current law provides three different standards regarding the number of signatures required on a petition calling for a local option election to legalize or prohibit the sale of alcoholic beverages. The highest standard, 35 percent of registered voters in a county, city, or justice of the peace precinct, has proven overly burdensome to a number of communities wishing to hold elections to allow the sale of alcohol at package stores, especially when compared to the much lower standard for wineries and beer and wine outlets. The highest standard has proved to be nearly insurmountable in many communities that might wish to hold local option elections to allow the sale of distilled spirits for off-premise or on-premise consumption.

C.S.S.B. 1626 amends language setting forth specific requirements of signatures on a petition calling for a local option election to legalize or prohibit the sale of 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 251.11(a), Alcoholic Beverage Code, to specify that 35 percent of the registered voters in the subdivision who voted in the most recent gubernatorial election are required to sign a petition for a ballot issue that permits voting for or against authorizing or prohibiting the sale of alcoholic beverages.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: upon passage or September 1, 2005.