

BILL ANALYSIS

Senate Research Center
81R26038 AJA-D

C.S.S.B. 693
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Business & Commerce
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Committee Report (Substituted)

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Currently, a consumer must provide a valid driver's license or identification card issued by the Texas Department of Public Safety when purchasing alcohol. However, numerous military personnel either stationed in or visiting Texas cannot purchase alcohol because their military identification cards are not acceptable forms of identification. The current statute also disenfranchises tourists and out-of-state college students by not allowing them to use their states' identification cards to purchase alcohol.

C.S.S.B. 693 amends current law relating to proof of identification to purchase an alcoholic beverage.

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 106.03(b), Alcoholic Beverage Code, as follows:

(b) Provides that a person who sells a minor an alcoholic beverage does not commit an offense if the minor falsely represents himself to be 21 years old or older by displaying an apparently valid proof of identification, rather than an apparently valid Texas driver's license or an identification card issued by the Texas Department of Public Safety (DPS), that contains a physical description and photograph consistent with the minor's appearance, purports to establish that the minor is 21 years of age or older, and was issued by a government agency. Deletes existing text providing that the apparently valid license or identification card was displayed for the purpose of inducing the person to sell him an alcoholic beverage. Authorizes the proof of identification to include a driver's license or identification card issued by DPS, a passport, or a military identification card.

SECTION 2. Provides that the defenses added by this Act to Section 160.03(b), Alcoholic Beverage Code, are available to a person regardless of when the offense was committed but only for trials commencing on or after the effective date of this Act.

SECTION 3. Effective date: upon passage or September 1, 2009.