

BILL ANALYSIS

Senate Research Center
82R3254 AJA-F

H.B. 1953
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Business & Commerce
4/29/2011
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current law provides for a 60-day notification by sign before an application can be made for a permit for a location not previously permitted for the on-premise consumption of alcoholic beverages. The 60-day notification period allows for the filing of a protest of the application and public hearing. The Texas Alcoholic Beverage Commission (TABC) historically considered an application to be made when it was submitted to the Austin headquarters for final approval.

Improvements in digital technology have resulted in applications filed at a TABC district office to be simultaneously received by TABC headquarters in Austin. This has resulted in a minimum delay of a week to ten days after the notification period ends before the permit is issued.

H.B. 1953 amends the statute to reflect streamlined TABC procedures for processing applications, while retaining the 60-day notification period before a permit may be issued, rather than filed.

H.B. 1953 amends current law relating to notice by sign of an alcoholic beverage permit or license application.

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 11.391(a), Alcoholic Beverage Code, as follows:

(a) Requires an applicant for a permit issued under this code for a location not previously licensed for the on-premises consumption of alcoholic beverages, to, not later than the 60th day before the date the permit is issued, rather than not later than the 60th day before the date the application is filed, prominently post an outdoor sign at the location stating that alcoholic beverages are intended to be served on the premises, the type of permit, and the name and business address of the applicant.

SECTION 2. Amends Section 61.381(a), Alcoholic Beverage Code, to make conforming and nonsubstantive changes.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2011.