

BILL ANALYSIS

Senate Research Center
82R11824 MCK-D

H.B. 3329
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Business & Commerce
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Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties report that, if a facility being used for a fund-raising event for a nonprofit corporation, such as an annual barn dance sponsored by a Boys and Girls Club, is located in the dry part of a county, the Texas Alcoholic Beverage Commission (TABC) has suggested that having alcoholic beverages available for sale at the event is not currently allowed. H.B. 3329 seeks to address this situation by authorizing TABC to issue a daily temporary private club permit to a nonprofit corporation for certain fund-raising events.

H.B. 3329 amends current law relating to a daily temporary private club permit for a nonprofit corporation.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Alcoholic Beverage Commission in SECTION 2 (Section 33.25, Alcoholic Beverage Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 33.23, Alcoholic Beverage Code, as follows:

Sec. 33.23. ISSUANCE OF PERMIT. (a) Authorizes the Texas Alcoholic Beverage Commission (TABC) to issue a daily temporary private club permit only to:

(1) a holder of a private club registration permit for the temporary serving of alcoholic beverages at a picnic, celebration, or similar event sponsored by a political party or political association supporting a candidate for public office or a proposed amendment to the Texas Constitution or other ballot measure; a charitable or civic organization; a fraternal organization with a regular membership that has been in continuous existence for not less than five years; or a religious organization; or

(2) a nonprofit corporation for a fund-raising event for the nonprofit corporation that lasts not longer than eight hours. Makes nonsubstantive changes.

(b) Prohibits TABC from issuing more than two daily temporary private club permits under Section (a)(1) in each calendar year for events sponsored by the same party, association, or organization. Authorizes a daily temporary private club permit to only be issued in the county where the private club registration permit is issued under Subsection (a)(1).

(c) Authorizes a daily temporary private club permit issued under Subsection (a)(2) to only be issued in the county where the nonprofit corporation is located. Authorizes a nonprofit corporation to be issued only one daily temporary private club permit under Subsection (a)(2) in each calendar year.

SECTION 2. Amends Section 33.25, Alcoholic Beverage Code, as follows:

Sec. 33.25. APPLICATION OF PRIVATE CLUB PERMIT PROVISIONS. (a) Creates this subsection from existing text. Provides that a provision of this code that applies to a private club registration permit applies to a daily temporary private club permit issued under Section 33.23(a)(1) unless the provision conflicts with a provision of this chapter.

(b) Requires TABC by rule to establish the procedure for establishing a temporary private club for a nonprofit corporation issued a daily temporary private club permit under Section 33.23(a)(2).

SECTION 3. Effective date: September 1, 2011.