

BILL ANALYSIS

Senate Research Center
84R815 JAM-F

H.B. 601
By: Clardy (Nichols)
Business & Commerce
5/1/2015
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Interested parties have expressed concerns regarding the consideration as a single facility, for purposes of the Alcoholic Beverage Code, of a county-owned civic center that is partially located in a certain municipality and that consists of adjacent buildings not all of which are located in that same municipality. The parties cite as an example of their concern the situation occurring with the Nacogdoches County Exposition and Civic Center when city of Nacogdoches voters approved the legal sale of all alcoholic beverages, including mixed beverages, in the city precincts in which the civic center facilities are located. The parties note that the county wants to have the facility considered as a single facility for the purpose of alcoholic beverage licensing so the county can operate under the same rules. H.B. 601 seeks to amend the applicable law to address this issue.

H.B. 601 amends current law relating to the premises covered by mixed beverage permits for certain county-owned facilities.

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 Chapter 28, Alcoholic Beverage Code, by adding Section 28.135, as follows:

Sec. 28.135. DESIGNATION OF LICENSED PREMISES FOR PERMITS COVERING CERTAIN COUNTY-OWNED FACILITIES. (a) Provides that this section applies only to a facility that is:

(1) partially located in a municipality that:

(A) has a population of less than 40,000; and

(B) is located in a county with a population less than 70,000; and

(2) a county-owned civic center that consists of adjacent buildings not all of which are located in the municipality described by Subdivision (1).

(b) Authorizes all buildings comprising a facility described by Subsection (a), notwithstanding any other law, to be designated as and considered the licensed premises for purposes of a mixed beverage permit covering the facility.

SECTION 2. Effective date: September 1, 2015.