

BILL ANALYSIS

H.B. 1612
By: Romero, Jr.
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that the Texas Alcoholic Beverage Commission (TABC) has the ability to suspend a permit or license, rather than administer a civil penalty, for certain violations committed by a permit or license holder. The parties have expressed a need to include an offense related to controlled substances or drugs among the violations for which TABC has such discretion. H.B. 1612 gives TABC the option of suspending the permit or license of a permittee or licensee engaged in such an offense as an alternative to imposing a civil penalty.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

H.B. 1612 amends the Alcoholic Beverage Code to include an offense relating to controlled substances or drugs among the bases for suspension of a permit or license relating to alcoholic beverages for which the Texas Alcoholic Beverage Commission (TABC) or the TABC administrator is not required to give the permittee or licensee the opportunity to pay a civil penalty as an alternative to having the permit or license suspended and for which TABC or the TABC administrator is required to determine whether the permittee or licensee may have the opportunity to pay a civil penalty as an alternative to having the permit or license suspended.

EFFECTIVE DATE

September 1, 2017.