

BILL ANALYSIS

Senate Research Center
77R5949 AJA-F

H.B. 1614
By: Wise (Cain)
Business & Commerce
5/9/2001
Engrossed

DIGEST AND PURPOSE

Under current law, the Texas Alcoholic Beverage Commission may cancel certain permits if the permittee or licensee is not operating primarily as a food establishment determined by alcohol sales in excess of 75 percent of gross receipts. Lowering the threshold from 75 percent to 50 percent would help regulatory officials better delineate bars from restaurants. H.B. 1614 decreases from 75 percent to 50 percent the percentage used to determine issuance of a food and beverage certificate.

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 25.13(d), Alcoholic Beverage Code, to change from 75 to 50 percent the amount of the gross receipts of a premises used to determine if a permittee is not primarily operating as a food service establishment.

SECTION 2. Amends Section 28.18(a), Alcoholic Beverage Code, to make a conforming change.

SECTION 3. Amends Section 32.23(a), Alcoholic Beverage Code, to make a conforming change.

SECTION 4. Amends Section 69.16(d), Alcoholic Beverage Code, to make a conforming change.

SECTION 5. Effective date: September 1, 2001.