

BILL ANALYSIS

Senate Research Center
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C.S.H.B. 3016
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State Affairs
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Committee Report (Substituted)

DIGEST AND PURPOSE

A recent attorney general opinion interprets current Texas law to mean that information obtained by accessing the magnetic strip on a Texas identification card, commercial driver's license, or driver's license may only be used by law enforcement officials. C.S.H.B. 3016 permits the use of information accessed by using the magnetic strip on a identification card, commercial driver's license, or driver's license by persons other than law enforcement officials when used to prevent the purchase of alcoholic beverages by minors and to comply with Texas Alcoholic Beverage Commission record keeping rules regarding private club memberships.

RULEMAKING AUTHORITY

Rulemaking authority is expressly granted to the Texas Alcoholic Beverage Commission in SECTION 1 (Section 109.61, Alcoholic Beverage Code) in this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 109D, Alcoholic Beverage Code, by adding Section 109.61, as follows:

Sec. 109.61. USE OF CERTAIN ELECTRONICALLY READABLE INFORMATION. Authorizes a person to access electronically readable information on a driver's license, commercial driver's license, or identification certificate for the purpose of complying with this code or a rule of the Texas Alcoholic Beverage Commission (commission), including for the purpose of preventing the person from committing an offense under this code. Prohibits a person from retaining information accessed under this section unless the commission by rule requires the information to be retained. Prohibits a person from retaining information longer than the commission requires. Prohibits information accessed under this section from being marketed in any manner.

SECTION 2. Effective date: September 1, 2001.

SUMMARY OF COMMITTEE CHANGES

Differs from As Filed version by deleting proposed SECTIONS 1 and 2 and adding a new SECTION 1 regarding the use of certain electronically readable information.

Differs from As Filed version by renumbering proposed SECTION 3 as SECTION 2 and deleting the two-thirds vote clause in the effective date.