

BILL ANALYSIS

Senate Research Center

H.B. 337
By: Hawley (Armbrister)
Business & Commerce
4/29/2001
Engrossed

DIGEST AND PURPOSE

Currently, a person who is delinquent in county ad valorem taxes can renew a permit or license to sell alcoholic beverages, and apply for a new permit or license. H.B. 337 allows the commission or an administrator appointed by the commission to deny an application for or cancel a permit or license for the retail sale or service of alcoholic beverages if the permit holder or applicant has not paid delinquent ad valorem taxes.

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 11.38, Alcoholic Beverage Code, by adding Subsections (e) and (f), as follows:

(e) Authorizes the Texas Alcoholic and Beverage Commission (commission) or administrator to cancel or deny a permit for the retail sale or service of alcoholic beverages, including a permit held by the holder of a food and beverage certificate, if it finds that the permit holder or applicant has not paid delinquent ad valorem taxes due on that permitted premises or due from a business operated on that premises to any taxing authority in the county of the premises. Provides that for purposes of this subsection, a permit holder or applicant is presumed delinquent in the payment of taxes due if the permit holder or applicant meets certain requirements.

(f) Defines “applicant.”

SECTION 2. Amends Section 61.36, Alcoholic Beverage Code, by adding Subsections (d) and (e) to make conforming changes.

SECTION 3. Effective date: September 1, 2001.