

BILL ANALYSIS

Senate Research Center
77R11309 MCK-D

C.S.S.B. 1524
By: Van de Putte
Business & Commerce
4/11/2001
Committee Report (Substituted)

DIGEST AND PURPOSE

Currently, an applicant must fulfill certain requirements when submitting an application to the Texas Alcoholic Beverage Commission (TABC) for liquor sales. An applicant is required to post a sign on the premises noting the pending request to TABC; however, a new permit request could go unnoticed if the property has not been used for a period of time or if there is not pedestrian traffic where the sign is posted. C.S.S.B. 1524 requires a letter to be submitted in English and another appropriate language, if applicable, to residents of the area in which a permit is sought, to inform the residents in advance of possible liquor sales on nearby properties.

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 11B, Alcoholic Beverage Code, by adding Section 11.393, as follows:

Sec. 11.393. NOTICE BY MAIL. (a) Requires a person who submits an original application for a private club registration permit or a permit authorizing the on-premises consumption of alcoholic beverages, except as provided by Subsection (b), to give written notice of the application to each residential address located within 300 feet of any property line of the premises for which the permit is sought.

(b) Provides that the notice required by Subsection (a) does not apply to an application that contains an application for a food and beverage certificate.

(c) Requires the notice required by this section to meet certain conditions.

(d) Requires the applicant to submit with an application for a permit described by Subsection (a) a list of each residential address provided notice under this section.

(e) Requires the notice to be provided on a form prescribed by the Texas Alcoholic Beverage Commission (commission) and to contain certain information.

SECTION 2. Amends Chapter 61B, Alcoholic Beverage Code, by amending Section 61.382, as follows:

Sec. 61.382. NOTICE BY MAIL. (a) Requires a person who submits an original application for a license authorizing the on-premises sale of beer, except as provided by Subsection (b), to give written notice of the application to each residential address located within 300 feet of any property line of the premises for which the permit is sought.

(b) Provides that the notice required by Subsection (a) does not apply to an application that contains an application for a food and beverage certificate.

(c) Requires the notice required by this section to meet certain conditions.

(d) Requires the applicant to submit with an application for a license described by Subsection (a) a list of each residential address provided notice under this section.

(e) Requires the notice to be provided on a form prescribed by the commission and to contain certain information.

SECTION 3. (a) Effective date: September 1, 2001.

(b) Requires the commission to prescribe the form for the notice required by Sections 11.393 and 61.382, Alcoholic Beverage Code, as added by this Act, on or before December 1, 2001.

(c) Provides that an applicant for a permit or license under the Alcoholic Beverage Code is not required to comply with Section 11.393 or 61.382, Alcoholic Beverage Code, as added by this Act, until January 1, 2002.

SUMMARY OF COMMITTEE CHANGES

Amends As Filed S.B. 1524 as follows:

SECTION 1. Adds text providing an exception to the requirement of this section. Amends proposed text pertaining to the on-premises consumption of alcohol. Increases location requirement for notification from 200 to 300 feet. Adds text pertaining to the time-frame within which notification must be given. Conforms proposed text to legislative drafting standards. Adds text pertaining to a requirement related to notification of residents.

SECTION 2. Adds text providing an exception to the requirement of this section. Amends proposed text pertaining to the on-premises sale of alcohol. Increases location requirement for notification from 200 to 300 feet. Adds text pertaining to the time-frame within which notification must be given. Conforms proposed text to legislative drafting standards. Adds text pertaining to a requirement related to notification of residents.

SECTION 3. No change.