

BILL ANALYSIS

Senate Research Center

H.B. 671
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State Affairs
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Engrossed

DIGEST AND PURPOSE

Currently, in order to obtain an alcohol license for on-premise consumption, an establishment must have both a male and a female restroom. Some small restaurants have only one restroom and cannot serve alcohol. H.B. 671 allows certain restaurants with one toilet to obtain a license for the sale of alcohol.

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 61.43(a), Alcoholic Beverage Code, to provide that the county judge may refuse to approve an application for a license as a distributor or retailer if the premises on which beer is to be sold for on-premises consumption is a premises that has at least one toilet and the premises is a restaurant that derives less than 50 percent of its gross revenue from the sale of alcohol, is 2,500 square feet or less, and has an occupancy rating of 50 persons or less.

SECTION 2. Amends Section 61.71(a), Alcoholic Beverage Code, to make a conforming change.

SECTION 3. (a) Makes application of this Act prospective in regards to Section 61.43(a), Alcoholic Beverage Code, as it applies to a county judge's decision regarding a license application.

(b) Makes application of this Act prospective in regards to Section 61.71(a), Alcoholic Beverage Code, in regards to a suspension or cancellation of a retail dealer's on-or-off premise license.

SECTION 4. Effective date: upon passage or September 1, 2003.