

BILL ANALYSIS

Senate Research Center
79R8612 AJA-F

H.B. 2065
By: Goolsby (Carona)
Business & Commerce
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Engrossed

AUTHOR'S/SPONSOR'S STATEMENT OF INTENT

The present three-day period for preliminary memberships in a private club does not permit membership committee meeting dates to be set on a definite day of the week. Compliance will be increased if clubs are allowed to set a definite time and day for membership meeting to be held: for instance each Wednesday at 10:00 A.M., which in turn will simplify state audits.

Currently, the statute relates the penalty for noncompliance to the fee set for a temporary membership even though the two classes are not related, leading to confusion. The penalty for an act of noncompliance should not relate to a fee set for a class of membership, which could be changed or discontinued. The current requirement in the statute that the club alcoholic beverage replacement be printed on each service check is meaningless.

H.B. 2065 allows the issuance of a preliminary membership for a period of seven days and requires a fee to be paid to the state if the membership is not approved. Furthermore, the bill allows, rather than requires, a service check to have printed on it certain information.

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 32.03(d), Alcoholic Beverage Code, to authorize the committee or board of a private club to authorize the chairman or a designated agent to issue preliminary memberships without the approval of the committee or board for a period not exceeding seven, rather than three, days on the request of an applicant for membership. Requires the club to pay to the state a fee of three dollars, rather than the fee required of temporary members under Section 32.09 of this code.

SECTION 2. Amends Section 32.06(b), Alcoholic Beverage Code, to authorize, rather than require, each service check to have printed on it the percentage of the service charge that is to be deposited in the alcoholic beverages replacement account, if an alcoholic beverages replacement account is used.

SECTION 3. Effective date: September 1, 2005.