

BILL ANALYSIS

Senate Research Center
80R7595 AJA-F

H.B. 1734
By: Goolsby (Lucio)
Business & Commerce
5/12/2007
Engrossed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

H.B. 1734 adopts sections of the Administrative Procedure Act (Chapter 2001, Government Code) that relate to providing notice of a final decision in a contested case and the time at which a decision becomes final to harmonize procedural provisions of the Texas Alcoholic Beverage Code with the Administrative Procedure Act.

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 11.65, Alcoholic Beverage Code, as follows:

(a) Creates this subsection from existing text. Requires a notice of cancellation or suspension of a license or permit to be given to the licensee or permittee as provided by Section 2001.142 (Notification of Decisions and Orders), Government Code, rather than to the licensee or permittee personally or by registered or certified mail.

(b) Creates this subsection from existing text. Provides that cancellation or suspension is final and effective as provided by Section 2001.144 (Decisions; When Final), Government Code. Deletes existing text providing that cancellation or suspension takes effects when the notice is given or delivered.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date: September 1, 2007.