

BILL ANALYSIS

Senate Research Center
80R6766 MCK-F

S.B. 1238
By: Ellis
Business & Commerce
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As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Current statute prohibits the sale of alcohol within 300 feet of a church, public or private school, or public hospital.

As proposed, S.B. 1238 prohibits the sale of alcohol within 300 feet of a municipal homeless shelter or transitional housing center.

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 the heading to Section 109.33, Alcoholic Beverage Code, to read as follows:

Sec. 109.33. SALES NEAR SCHOOL, CHURCH, HOSPITAL, HOMELESS SHELTER, OR TRANSITIONAL HOUSING CENTER.

SECTION 2. Amends Sections 109.33(a) and (b), Alcoholic Beverage Code, as follows:

(a) Includes a homeless shelter or a transitional housing center among the list of institutions in the area of which the commissioners court of a county is authorized to enact distance requirements prohibiting the sale of alcoholic beverages.

(b) Makes a conforming change.

SECTION 3. Effective date: September 1, 2007.