

BILL ANALYSIS

S.B. 1176
By: Campbell
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that certain wine and beer retailer's permit holders, such as water parks, offering a wide variety of merchandise, food, and beverages, including alcoholic beverages, for sale to patrons may consolidate product shipments of such items in a separate permitted premise. The parties contend that clarification is needed regarding the utilization of this practice and the transfer of those items between the permit holder's permitted premises. S.B. 1176 seeks to provide that clarification.

CRIMINAL JUSTICE IMPACT

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

S.B. 1176 amends the Alcoholic Beverage Code to authorize the holder of two or more water park permits to deliver alcoholic beverages from any premises for which one of those permits has been issued to any other premises for which one of those permits has been issued. The bill restricts issuance of a water park permit to a person who holds a wine and beer retailer's permit and operates a public venue that involves waterslides, food service, music, and amusement activities and that is located primarily along the banks of the Comal River. The bill limits issuance of water park permits for such a person to not more than five premises for which wine and beer retailer's permits have been issued and that are located in the applicable public venue or not more than one mile from the boundary of that venue. The bill sets the annual state fee for a water park permit at \$30 and subjects a water park permit to Alcoholic Beverage Code provisions applicable to a wine and beer retailer's permit.

EFFECTIVE DATE

On passage, or, if the bill does not receive the necessary vote, September 1, 2017.