

## **BILL ANALYSIS**

Senate Research Center

H.B. 1667  
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Business & Commerce  
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Engrossed

### **AUTHOR'S / SPONSOR'S STATEMENT OF INTENT**

The 79<sup>th</sup> Legislature, Regular Session, 2005, enacted S.B. 1850, making a number of changes relating to the regulation of wine and beer permit holders in populous counties and was aimed at preventing certain abuses by those permit holders. Wine and beer permit holders who also hold a food and beverage certificate, namely restaurants, were exempted from every provision of the bill except for one. Due to a drafting error, holders of food and beverage certificates were not exempted from a fee increase for a wine and beer retailer's permit.

H.B. 1667 amends the Alcoholic Beverage Code to exempt food and beverage certificate holders from the increased fees for a wine and beer retailer's permit placed on counties with a population of 1.4 million or more.

### **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 25.02, Alcoholic Beverage Code, as follows:

Sec. 25.02. FEE. (a) Provides that the annual state fee for an original wine and beer retailer's permit is \$1,000, except as provided in Subsections (b) and (c), rather than Subsection (b) and Section 25.03. Provides that the annual state fee for a renewal of a wine and beer retailer's permit is \$750. Deletes existing text providing that the annual state fee for a wine and beer retailer's permit is \$175. Deletes existing text providing that the annual state fee for a wine and beer retailer's permit in connection with an establishment located in a county with a population of 1.4 million or more is \$750. Deletes existing text providing that the original application fee for a wine and beer retailer's permit in connection with an establishment located in a county with a population of 1.4 million or more is \$1,000.

(b) Provides that the annual state fee for an original wine and beer retailer's permit issued with a food and beverage certificate is \$175. Provides that the annual state fee for a renewal of a wine and beer retailer's permit issued with a food and beverage certificate is \$175.

(c) Provides that the annual state fee for an original wine and beer retailer's permit issued to a fraternal organization or a veterans organization, as those terms are defined by Section 32.11, is \$175. Provides that the annual state fee for a renewal of a wine and beer retailer's permit issued to a fraternal organization or a veterans organization is \$175.

SECTION 2. Amends Section 69.02, Alcoholic Beverage Code, as follows:

Sec. 69.02. FEE. (a) Provides that, except as provided in Subsections (b) and (c) and Section 69.03, rather than Subsection (b) and Section 69.03, the annual state fee for an original retail dealer's on-premise license is \$1,000. Provides that the annual state fee for a renewal of a retail dealer's on-premise license is \$750. Deletes existing text providing that the annual state fee for a retail dealer's on-premise license is \$150. Deletes existing

text providing that the annual state fee for a retail dealer's on-premise license in connection with an establishment located in a county with a population of 1.4 million or more is \$750. Deletes existing text providing that the original application fee for a retail dealer's on-premise license in connection with an establishment located in a county with a population of 1.4 million or more is \$1,000.

(b) Provides that the annual state fee for an original retail dealer's on-premise license issued with a food and beverage certificate is \$150. Provides that the annual state fee for a renewal of a retail dealer's on-premise license issued with a food and beverage certificate is \$150.

(c) Provides that the annual state fee for an original retail dealer's on-premise license issued to a fraternal organization or a veterans organization, as those terms are defined by Section 32.11, is \$150. Provides that the annual state fee for a renewal of a retail dealer's on-premise license issued to a fraternal organization or a veterans organization is \$150.

SECTION 3. Makes application of this Act prospective.

SECTION 4. Effective date: September 1, 2007.