

## **BILL ANALYSIS**

Senate Research Center  
80R19733 MCK-D

C.S.H.B. 1667  
By: Geren (Brimer)  
Business & Commerce  
5/11/2007  
Committee Report (Substituted)

### **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.

C.S.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 or a retailer's on-premise license 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 a wine and beer retailer's permit is \$275, rather than \$175, except as provided by Subsections (b) and (c) and Section 25.03, rather than Subsection (b) and Section 25.03.

(b) Provides that the annual state fee for an original wine and beer retailer's permit in connection with an establishment located in a county with a population of 1.4 million or more, other than a permit issued with a food and beverage certificate, is \$1,000, rather than \$750. Provides that the annual state fee, rather than the original application fee, for renewal of 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, other than a permit issued with a food and beverage certificate, is \$750, rather than \$1,000.

(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 the annual state fee for a retail dealer's on-premise license is \$250, rather than \$150, except as provided by Subsections (b) and (c) and Section 69.03, rather than Subsection (b) and Section 69.03.

(b) Provides that the annual state fee for an original retailer's on-premise license in connection with an establishment located in a county with a population of 1.4 million or more, other than a license issued with a food and beverage certificate, is \$1,000, rather than \$750. Provides that the annual state fee, rather than the

original application fee, for renewal of 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, other than a license issued with a food and beverage certificate, is \$750, rather than \$1,000.

(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.