

BILL ANALYSIS

H.B. 3101
By: Kuempel
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Interested parties note that several bus services have been established to serve cities in Texas that are experiencing heavy airport congestion and they contend that these passenger buses should be afforded the same rights to sell alcoholic beverages as those afforded to a holder of an airline beverage permit. H.B. 3101 seeks to create a passenger bus beverage permit.

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

H.B. 3101 amends the Alcoholic Beverage Code to create a passenger bus beverage permit and to grant to the holder of a passenger bus beverage permit the same rights with respect to the sale of alcoholic beverages on a passenger bus as the holder of an airline beverage permit has with respect to the sale of alcoholic beverages on a commercial passenger airplane. The bill limits the applicability of its provisions to a passenger bus that is designed, constructed, or used for the transportation of multiple passengers for compensation and, while transporting persons for compensation, also transports an attendant who is not the bus operator and has attended a seller training program approved by the Texas Alcoholic Beverage Commission (TABC). The bill sets the annual fee for a passenger bus beverage permit at \$500 and authorizes TABC or the TABC administrator to issue a passenger bus beverage permit to any corporation operating a commercial passenger bus service in or through Texas. The bill requires an application and fee payment to be made directly to TABC. The bill exempts the preparation and service of alcoholic beverages by the holder of a passenger bus beverage permit from a tax imposed by the Alcoholic Beverage Code and from the tax imposed by the Limited Sales, Excise, and Use Tax Act. The bill makes statutory provisions relating to citizenship requirements for various permits under the Alcoholic Beverage Code inapplicable to a passenger bus beverage permit.

EFFECTIVE DATE

September 1, 2017.