

BILL ANALYSIS

Senate Research Center

H.B. 808
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State Affairs
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Engrossed

DIGEST

Many charitable organizations raise money through fund-raising events such as silent auctions. The items auctioned are typically donated and at times include alcoholic beverages. Therefore, a temporary alcoholic beverage permit for charitable organizations to allow them to sell items and comply with state alcoholic beverage laws. H.B. 808 creates a temporary permit to allow charitable organizations to collect and sell alcoholic beverages.

PURPOSE

As proposed, H.B. 808 creates a temporary permit to allow charitable organizations to collect and sell alcoholic beverages.

RULEMAKING AUTHORITY

Rulemaking authority is granted to the Texas Alcoholic Beverage Commission in SECTION 1 (Section 53.009, Alcoholic Beverage Code) of this bill.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Title 3A, Alcoholic Beverage Code, by adding Chapter 53, as follows:

CHAPTER 53. TEMPORARY CHARITABLE AUCTION PERMIT

Sec. 53.001. AUTHORIZED ACTIVITIES. Authorizes the holder of a temporary charitable auction permit (permit) to auction alcoholic beverages to raise money to support charitable works of the permit holder.

Sec. 53.002. FEE. Sets forth the fee for the permit.

Sec. 53.003. DURATION OF PERMIT. Provides that the permit is issued for a period of not more than five days.

Sec. 53.004. PERMIT. Authorizes the Alcoholic Beverage Commission (commission) to issue a permit only to certain tax-exempt organizations.

Sec. 53.005. AUCTION LOCATION. Sets forth the requirements for the location of the auction.

Sec. 53.006. AUCTION NOTICE. Sets forth the requirements of notice for the holder of a permit, to be provided to the branch office of the commission closest to the auction site.

Sec. 53.007. DISPOSITION OF PROCEEDS. Requires the proceeds from the auction to be deposited to the account of the permit holder.

Sec. 53.008. PROHIBITED ACTIVITIES. Sets forth prohibited activities of a holder of a permit.

Sec. 53.009. RULES. Requires the commission to adopt rules governing the issuance of a

permit and penalties for violations of this chapter.

SECTION 2. Effective date: September 1, 1997.

SECTION 3. Emergency clause.