

BILL ANALYSIS

Senate Research Center
76R5429 MCK-F

H.B. 2450
By: Haggerty (Jackson)
Economic Development
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Engrossed

DIGEST

Currently, under Texas law there are no specified disciplinary actions for an employer or a supervisor of an alcoholic beverage wholesaler or distributor who was directly involved in an illegal act or had notice of an illegal act of an employee authorized to sell liquor or beer by the agent's license or permit. This bill would authorize the Texas Alcoholic Beverage Commission or its administrator to suspend or revoke the license or permit of a person who is the employer of, or represented by, the holder of an agent's license or permit, or otherwise discipline the person based on an act or omission of the holder of an agent's license or permit under certain conditions.

PURPOSE

As proposed, H.B. 2450 sets forth guidelines for the discipline of certain individuals authorized to sell certain alcoholic beverages.

RULEMAKING AUTHORITY

This bill does not grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Chapter 11C, Alcoholic Beverage Code, by adding Section 11.72, as follows:

Sec. 11.72. DISCIPLINE FOR ACTIONS OF AGENT. Authorizes the Texas Alcoholic Beverage Commission (TABC) or administrator to suspend or revoke the permit of a person who is represented by the holder of an agent's permit as described by Section 35.01, or otherwise discipline the person based on an act or omission of the holder of an agent's permit only if an individual employed by the person in a supervisory position had knowledge of or failed to prevent the act.

SECTION 2. Amends Chapter 61C, Alcoholic Beverage Code, by adding Section 61.86, as follows:

Sec. 61.86. DISCIPLINE FOR ACTIONS OF AGENT. Authorizes TABC or administrator to suspend or revoke the license of a person who is the employer of or represented by the holder of an agent's beer license as described by Section 73.01 based on an act or omission of the holder of an agent's permit only if an individual employed by the person in a supervisory position was directly involved in, had knowledge of, or failed to prevent the act.

SECTION 3. Effective date: September 1, 1999.
Makes application of this Act prospective.

SECTION 4. Emergency clause.