

## **BILL ANALYSIS**

Senate Research Center

C.S.S.B. 222  
By: Gallegos  
Economic Development  
3/24/1999  
Committee Report (Substituted)

### **DIGEST**

Currently, Texas law requires the Texas Alcoholic Beverage Commission or administrator to suspend a license issued under the Code for certain violations. C.S.S.B. 222 would provide that a permittee or licensee who authorizes, permits, or induces a person younger than 18 years of age to dance with or for another person in exchange for a benefit at their establishment faces a Class A misdemeanor. This bill also requires certain suspensions and possible cancellation of a permit or license to sell alcoholic beverages upon conviction of certain offenses.

### **PURPOSE**

As proposed, C.S.S.B. 222 establishes certain prohibited activities, by persons younger than 18 years of age conducted on premises covered by an alcoholic beverage license or permit, and provides penalties.

### **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 Section 11.64(a), Alcoholic Beverage Code, to require the Texas Alcoholic Beverage Commission or administrator to determine whether the permittee or licensee may have the opportunity to pay a civil penalty rather than having the permit or license suspended, if the permittee or licensee violates Section 106.15. Makes a conforming change.

SECTION 2. Amends Chapter 106, Alcohol Beverage Code, by adding Section 106.15, as follows:

Sec. 106.15. PROHIBITED ACTIVITIES BY PERSONS YOUNGER THAN 18. Establishes that a permittee or licensee commits an offense if the person employs, authorizes, permits, or induces a person younger than 18 years of age to dance with another person in exchange for a benefit on the premises covered by the permit or license. Specifies that an offense under Subsection (a) is a Class A misdemeanor. Requires suspension or cancellation of the permit or license providing certain conditions, in addition to a penalty. Establishes that this section does not apply to a gift or benefit given for a dance at a wedding, anniversary or similar event. Provides that a person does not commit an offense if the person younger than 18 years of age falsely represents the person's age as over 18 with identification that appears to be a valid Texas driver's license or an identification card containing a description consistent with the person's appearance.

SECTION 3. Effective date: September 1, 1999.

SECTION 4. Emergency clause.

### **SUMMARY OF COMMITTEE CHANGES**

SECTION 1.

Amends Section 106.15, Alcoholic Beverage Code, to establish that a permittee or licensee commits an offense if the person employs, authorizes, permits, or induces a person younger than 18 years of age to dance with another person in exchange for a benefit on the premises covered by the permit or license. Establishes that this section does not apply to a gift or benefit given for a dance at a wedding, anniversary, or similar event.

