

BILL ANALYSIS

Senate Research Center

H.B. 3016
By: Haggerty (Shapiro)
State Affairs
5/2/2001
Engrossed

DIGEST AND PURPOSE

A recent attorney general opinion interprets current Texas law to mean that information obtained by accessing the magnetic strip on a Texas identification card, commercial driver's license, or driver's license may only be used by law enforcement officials. House Bill 3016 permits the use of information accessed by using the magnetic strip on a identification card, commercial driver's license, or driver's license by persons other than law enforcement officials when used to prevent the purchase of alcoholic beverages by minors and to comply with Texas Alcoholic Beverage Commission record keeping rules regarding private club memberships.

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 32.09, Alcoholic Beverage Code, by adding Subsection (d), to provide that notwithstanding Section 521.126 (Electronically Readable Information), Transportation Code, the use of the information on an identification certificate, commercial driver's license, or driver's license in an electronically readable form is permissible when accessed to comply with this code or rules promulgated by the commission. Prohibits the information from being retained by any person after it is no longer required to be kept by the commission. Prohibits the information from being marketed in any manner.

SECTION 2. Amends Section 106.03, Alcoholic Beverage Code, by adding Subsection (d),to provide that notwithstanding Section 521.126, Transportation Code, the use of the information on an identification certificate, commercial driver's license, or driver's license in an electronically readable form is permissible when accessed to prevent the offense in this section. Prohibits the information from being retained by any person after it is no longer needed to prevent this offense. Makes a conforming change.

SECTION 3. Effective date: upon passage or September 1, 2001.