

1-1 By: Burrows (Senate Sponsor - West) H.B. No. 3754
 1-2 (In the Senate - Received from the House May 6, 2019;
 1-3 May 7, 2019, read first time and referred to Committee on Business
 1-4 & Commerce; May 20, 2019, reported favorably by the following vote:
 1-5 Yeas 9, Nays 0; May 20, 2019, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED
 1-18 AN ACT

1-19 relating to the collection of local permit and license fees
 1-20 authorized under the Alcoholic Beverage Code; authorizing a fee.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 11.38, Alcoholic Beverage Code, is
 1-23 amended by amending Subsection (b) and adding Subsections (b-1) and
 1-24 (b-2) to read as follows:

1-25 (b) The commission or administrator may cancel or suspend a
 1-26 permit if it finds that the permittee has not paid a fee levied
 1-27 under this section within 180 days after the date the fee was
 1-28 levied. A permittee who sells an alcoholic beverage without first
 1-29 having paid a fee levied under this section commits a misdemeanor
 1-30 punishable by a fine of not less than \$10 nor more than \$200.

1-31 (b-1) A city, town, or county may enter into a contract with
 1-32 a private attorney or a public or private vendor for the collection
 1-33 of an unpaid permit fee levied under this section that is more than
 1-34 60 days past due. A private attorney or a public or private vendor
 1-35 collecting a fee under this subsection may assess a collection
 1-36 charge to a permit holder for late payment or nonpayment of a fee
 1-37 levied under this section.

1-38 (b-2) A city, town, or county may enter into an interlocal
 1-39 agreement with another entity authorized to levy a fee under this
 1-40 section for the collection of a permit fee that is more than 60 days
 1-41 past due on behalf of the other entity and shall remit the
 1-42 appropriate fees collected to the other entity. The amount
 1-43 collected through an interlocal agreement under this subsection may
 1-44 not exceed the amount of the fee levied by the city, town, or county
 1-45 under this section and any collection charge assessed by a private
 1-46 attorney or a public or private vendor under Subsection (b-1).

1-47 SECTION 2. Section 61.36, Alcoholic Beverage Code, is
 1-48 amended by amending Subsection (b) and adding Subsections (b-1) and
 1-49 (b-2) to read as follows:

1-50 (b) The commission or administrator may cancel or suspend a
 1-51 license if it finds the licensee has not paid a fee levied under
 1-52 this section within 180 days after the date the fee was levied. A
 1-53 licensee who sells an alcoholic beverage without first having paid
 1-54 a fee levied under this section commits a misdemeanor punishable by
 1-55 a fine of not less than \$10 nor more than \$200.

1-56 (b-1) A city, town, or county may enter into a contract with
 1-57 a private attorney or a public or private vendor for the collection
 1-58 of an unpaid license fee levied under this section that is more than
 1-59 60 days past due. A private attorney or a public or private vendor
 1-60 collecting a fee under this subsection may assess a collection
 1-61 charge to a license holder for late payment or nonpayment of a fee

2-1 levied under this section.

2-2 (b-2) A city, town, or county may enter into an interlocal
2-3 agreement with another entity authorized to levy a fee under this
2-4 section for the collection of a license fee that is more than 60
2-5 days past due on behalf of the other entity and shall remit the
2-6 appropriate fees collected to the other entity. The amount
2-7 collected through an interlocal agreement under this subsection may
2-8 not exceed the amount of the fee levied by the city, town, or county
2-9 under this section and any collection charge assessed by a private
2-10 attorney or a public or private vendor under Subsection (b-1).

2-11 SECTION 3. The changes in law made by this Act to Sections
2-12 11.38(b) and 61.36(b), Alcoholic Beverage Code, apply only to fees
2-13 originally levied on or after the effective date of this Act. Fees
2-14 originally levied before the effective date of this Act are
2-15 governed by the law in effect immediately before that date, and that
2-16 law is continued in effect for that purpose.

2-17 SECTION 4. This Act takes effect September 1, 2019.

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