

CHAPTER 687

H.B. No. 162

An Act relating to the summary suspension of certain alcoholic beverage permits or licenses pending investigation of violent acts taking place on the licensed premises.

Be it enacted by the Legislature of the State of Texas:

SECTION 1. Section 11.61, Alcoholic Beverage Code, is amended by adding Subsection (d) to read as follows:

(d) The commission or administrator without a hearing may for investigative purposes summarily suspend a mixed beverage permit, a private club registration permit, or a wine and beer retailer's permit for not more than seven days if the commission or administrator finds that a shooting, stabbing, or murder has occurred on the licensed premises which is likely to result in a subsequent act of violence. Notice of the order suspending the permit shall be given to the permittee personally within 24 hours of the time the violent act occurs. If the permittee cannot be located, notice shall be provided by posting a copy of the order on the front door of the licensed premises.

SECTION 2. Section 61.71, Alcoholic Beverage Code, is amended by adding Subsection (e) to read as follows:

(e) The commission or administrator without a hearing may for investigative purposes summarily suspend a retail dealer's on-premise license for not more than seven days if the commission or administrator finds that a shooting, stabbing, or murder has occurred on the licensed premises which is likely to result in a subsequent act of violence. Notice of the order suspending the license shall be given to the licensee personally within 24 hours of the time the violent act occurs. If the licensee cannot be located, notice shall be provided by posting a copy of the order on the front door of the licensed premises.

SECTION 3. This Act takes effect September 1, 1985.

SECTION 4. The importance of this legislation and the crowded condition of the calendars in both houses create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each house be suspended, and this rule is hereby suspended.

Passed by the House on May 8, 1985, by a non-record vote; House concurred in Senate amendments to H.B. No. 162 on May 26, 1985, by a non-record vote.; passed by the Senate, with amendments, on May 25, 1985, by a viva-voce vote.

Approved: June 14, 1985

Effective: September 1, 1985