

CHAPTER 139

S.B. No. 27

AN ACT

relating to cancellation of wine and beer retailer permits and retail dealer on-premise licenses.

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

SECTION 1. Subchapter C, Chapter 61, Alcoholic Beverage Code, is amended by adding Section 61.721 to read as follows:

*Sec. 61.721. CANCELLATION OF PERMIT OR LICENSE IN CERTAIN MUNICIPALITIES. The commission or administrator may cancel an original or a renewal wine and beer retailer's permit or retail dealer's on-premise license and may refuse to issue any new alcoholic beverage permit or license for the same premises for one year after the date of cancellation if:*

*(1) the chief of police of the city or the sheriff of the county in which the premises are located has submitted a sworn statement to the commission stating specific allegations that the place or manner in which the permittee or licensee conducts its business endangers the general welfare, health, peace, morals, or safety of the community and further stating that there is a reasonable likelihood that such conduct would continue at the same location under another licensee or permittee; and*

*(2) the commission or administrator finds, after notice and hearing within the county where the premises are located, that the place or manner in which the permittee or licensee conducts its business does in fact endanger the general welfare, health, peace, morals, or safety of the community and that there is a reasonable likelihood that such conduct would continue at the same location under another licensee or permittee.*

SECTION 2. 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, and that this Act take effect and be in force from and after its passage, and it is so enacted.

Passed the Senate on February 24, 1993: Yeas 31, Nays 0; the Senate concurred in House amendment on May 4, 1993: Yeas 31, Nays 0; passed the House, with amendment, on April 30, 1993: Yeas 124, Nays 0, one present not voting.

Approved May 16, 1993.

Effective May 16, 1993.