

From: [Sunset Advisory Commission](#)
To: [Brittany Calame](#)
Subject: FW: Sunset Review of the Texas Alcoholic Beverage Commission
Date: Thursday, November 15, 2018 8:14:27 AM

From: Chase Glover
Sent: Wednesday, November 14, 2018 9:48 PM
To: Sunset Advisory Commission
Cc: Chase Glover
Subject: Re: Sunset Review of the Texas Alcoholic Beverage Commission

To the Sunset Commission:

As President of the Texas Alcoholic Beverage Commission Officer's Association, I am pleased to share with you the opinion of the association leadership and members regarding your vital review of the Texas Alcoholic Beverage Commission.

Issue 1:

Continue TABC for 12 years-SUPPORT
Expand the Alcoholic Beverage Commission from 3 to 5 members-SUPPORT
Modernize TABC's conflict of interest provisions-SUPPORT
Authorize the Commission to establish advisory committees by rule-SUPPORT
Direct TABC to update rule describing the separation of duties between the commission and executive director-SUPPORT

Issue 2:

Streamline the state's alcoholic beverage licensing system by reducing the number of license and permit types-SUPPORT
Modernize Texas' regulation of malt beverages by eliminating distinctions between beer and ale-SUPPORT
Remove fees from statute to allow TABC to review and adjust license and permit fees on an ongoing basis-SUPPORT
It is the opinion of the TABCOA that the current Alcoholic Beverage Code is outdated and difficult for the citizens of Texas to understand. ANY changes to modernize the code would be supported by TABCOA.

Issue 3:

Streamline TABC's process for approving alcoholic beverages for sale in Texas-SUPPORT
Make cash payments optional by applying the existing credit law restrictions to beer transactions between retailers and distributors-SUPPORT
Eliminate overly restrictive outdoor advertising requirements- SUPPORT
Again, any modernization of the Code would be supported by TABCOA.

Issue 4:

Restructure TABC's protest process to align with best practices, improving consistency and accountability for applicants and TABC-SUPPORT

Direct TABC to clearly inform applicants of their due process rights-SUPPORT

Issue 5:

Require TABC to regularly inspect every regulated location in the state within a reasonable period and direct the commission to set a minimum inspection period by rule that prioritizes public safety risks-SUPPORT

Remove the requirement that TABC offer licensees a choice between a suspension or fine, and instead authorize TABC to determine the appropriate penalty for each violation-SUPPORT

Authorize TABC to consider profits earned from violating the law when penalizing licensees-SUPPORT

Authorize TABC to temporarily suspend licenses and permits if it finds a continuing threat to the public welfare-SUPPORT

Require the commission to make final determinations on all enforcement and disciplinary actions-SUPPORT

Issue 6:

Repeal the state's inefficient tax on alcohol imported for personal use and eliminate TABC's ports of entry tax collection program- NEUTRAL

TABCOA agrees that the current structure of the Ports of Entry Program needs significant modernization and improvement, however is not confident that the program needs to be eliminated.

Issue 7:

Update the standard across-the-board requirement related to commission member training-SUPPORT

Discontinue the requirement for TABC to prepare a limited report on after-hours violations-SUPPORT

Update the agency's statute to reflect the requirements of the person-first respectful language initiative-SUPPORT

Please feel free to contact me with any questions regarding this response.

Sincerely-
Chase Glover
President
TABCOA