

**BILL SUMMARY**  
1<sup>st</sup> Session of the 60<sup>th</sup> Legislature

<b>Bill No.:</b>	<b>SB 1032</b>
<b>Version:</b>	<b>ENGR</b>
<b>Request Number:</b>	
<b>Author:</b>	<b>Hays</b>
<b>Date:</b>	<b>4/8/2025</b>
<b>Impact:</b>	<b>Please see previous summary of this measure</b>

**Research Analysis**

The engrossed version of SB 1032 gives an ABLE-licensed establishment who claims an employee's actions are not attributable to them 10 days after the receipt of a violation to provide an affidavit indicating that the establishment was in compliance with requires at the time of the violation. The establishment may be required to present further evidence at a hearing. If an employee does not have an employee license, the action of the employee will be attributable to the establishment if the employee does any of the actions listed in the measure. Proof from ABLE that the employee performed a prohibited action on three or more occasions within a year will create a rebuttable presumption that an establishment has indirectly encouraged a violation of the law. This presumption is created regardless if the same person did the violation each time. Proof of violation will be demonstrated as provided for in the measure. A rebuttable presumption will also be established if the ABLE Commission presents proof that the establishment required each employee to present a seller-server training certificate within 14 days of their initial employment and attend a training course every two years, that the establishment required each employee to maintain a valid license, that the establishment adopted policies and procedures designed to prohibit certain person from consuming or buying alcohol, and that the establishment ensures that all employees have read and understood ABLE policies and procedures. If the evidence presented is sufficient to establish a prima facie case, the burden of persuasion shifts to the establishment to show that it has not indirectly encouraged a violation of the law. The measure provides that nothing in this law will be construed to establish exclusive means by which the ABLE Commission may establish that a license or permit holder has indirectly encouraged a violation of this act.

Prepared By: Suzie Nahach, House Research Staff

**Fiscal Analysis**

The measure is currently under review and impact information will be completed.

Prepared By: House Fiscal Staff

**Other Considerations**

None.