

By: Turner of Tarrant

H.B. No. 2127

A BILL TO BE ENTITLED

1 AN ACT

2 relating to consumption of alcoholic beverages in public  
3 entertainment facilities and zones.

4 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

5 SECTION 1. Section 108.73, Alcoholic Beverage Code, is  
6 amended by adding Subdivision (3-a) to read as follows:

7 (3-a) "Public entertainment zone" means an area of  
8 land that:

9 (A) is owned by a municipality with a population  
10 of 175,000 or more;

11 (B) is designated as a public entertainment zone  
12 by the governing body of a municipality in a formal meeting; and

13 (C) contains a public safety facility.

14 SECTION 2. The heading to Section 108.82, Alcoholic  
15 Beverage Code, is amended to read as follows:

16 Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN PUBLIC  
17 ENTERTAINMENT FACILITIES AND ZONES.

18 SECTION 3. Sections 108.82(a) and (b), Alcoholic Beverage  
19 Code, are amended to read as follows:

20 (a) This section applies only to [~~a public entertainment~~  
21 ~~facility~~]:

22 (1) a public entertainment facility that is owned or  
23 leased by the Texas State Railroad Authority and used as a station  
24 for passenger rail services; [~~or~~]

1           (2) a public entertainment facility that is a stadium,  
2 arena, or other permanent structure that is used for sporting  
3 events and:

4                   (A) relating to which an agreement approved by  
5 the administrator under Section 108.79 is in force; and

6                   (B) for which all alcoholic beverage permits and  
7 licenses are held by a single holder; or

8                   (3) a public entertainment zone.

9           (b) Notwithstanding Section 28.10, the concessionaire for a  
10 public entertainment facility or a public entertainment zone  
11 described by Subsection (a) may allow a patron who possesses an  
12 alcoholic beverage to enter or leave a licensed or permitted  
13 premises within the facility or zone if the alcoholic beverage:

14                   (1) is in an open container, as defined by Section  
15 49.031, Penal Code;

16                   (2) appears to be possessed for present consumption;

17                   (3) except as provided by Section 48.01(b), remains  
18 within the confines of the facility or zone, excluding a parking  
19 lot; and

20                   (4) was purchased legally at a licensed or permitted  
21 premises within the facility or zone.

22           SECTION 4. This Act takes effect September 1, 2021.