

By: Ortega, Patterson, Harless,  
A. Johnson of Harris, Gamez, et al.

H.B. No. 115

A BILL TO BE ENTITLED

AN ACT

relating to the offense of public consumption of alcoholic  
beverages during certain hours.

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

SECTION 1. Section 105.06(a-1), Alcoholic Beverage Code, is  
amended to read as follows:

(a-1) For the purposes of this section, a ~~[licensed or  
permitted premises is a]~~ public place includes:

(1) a licensed or permitted premises; and

(2) a premises that:

(A) is not licensed or permitted under this code;

and

(B) is a public place as defined by Section 1.07,

Penal Code.

SECTION 2. (a) Section 105.06(a-1), Alcoholic Beverage  
Code, as amended by this Act, applies only to an offense committed  
on or after the effective date of this Act. For the purposes of this  
section, an offense is committed before the effective date of this  
Act if any element of the offense occurs before that date.

(b) An offense committed before the effective date of this  
Act is covered by the law in effect immediately before the effective  
date of this Act, and that law is continued in effect for that  
purpose.

SECTION 3. This Act takes effect September 1, 2023.