

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

H.B. No. 115

A BILL TO BE ENTITLED

1 AN ACT  
2 relating to the offense of public consumption of alcoholic  
3 beverages during certain hours.

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

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

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

9 (1) a licensed or permitted premises; and

10 (2) a premises that:

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

12 and

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

14 Penal Code.

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

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

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