

BILL ANALYSIS

S.B. 270
By: Madla
County Affairs
Committee Report (Unamended)

BACKGROUND AND PURPOSE

Under current law, a mass gathering is defined as a gathering that is held outside the limits of a municipality and attracts or is expected to attract more than 5,000 people who will remain in the meeting location for more than five continuous hours. There have been noted instances in which promoters schedule events and mass gatherings just under the five-hour time period. Other promoters will assure or state that less than 5,000 people are expected or allowed to be present. As a result the promoters do not have to obtain a permit or provide the minimum standards of health, sanitation, traffic control, medical care, and general safety for the public. This bill changes the definition a mass gathering by reducing from 5,000 to 2,500 the number of people which constitute a mass gathering and includes specific types of gatherings as mass gatherings.

RULEMAKING AUTHORITY

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

ANALYSIS

SECTION 1. Amends Section 751.002(1), Health and Safety Code, to redefine "mass gathering" as a gathering that is held outside the limits of a municipality; that attracts or is expected to attract more than 2,500 persons; or more than 500 persons, if 51 percent or more of those persons may reasonably be expected to be younger than 21 years of age and it is planned or may reasonably be expected that alcoholic beverages will be sold, served, or consumed at or around the gathering; and at which the persons will remain for more than five continuous hours; or for any amount of time during the period beginning at 10 p.m. and ending at 4 a.m.

SECTION 2. Makes application of this Act prospective.

SECTION 3. Effective date

EFFECTIVE DATE

Upon passage, or, if the Act does not receive the necessary vote, the Act takes effect September 1, 2005.