

A BILL TO BE ENTITLED

AN ACT

relating to mass gatherings outside the limits of a municipality.

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

SECTION 1. Subdivision (1), Section 751.002, Health and Safety Code, is amended to read as follows:

(1) "Mass gathering" means a gathering:

(A) that is held outside the limits of a municipality;

(B) ~~and~~ that attracts or is expected to attract:

(i) more than 2,500 ~~[5,000]~~ persons; or

(ii) 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

(C) at which the persons ~~[who]~~ will remain:

(i) ~~[at the meeting location]~~ for more than five continuous hours; or

(ii) for any amount of time during the period beginning at 10 p.m. and ending at 4 a.m.

SECTION 2. The change in law made by this Act applies only to a mass gathering, as defined by Section 751.002, Health and Safety Code, as amended by this Act, for which a permit application

1 is required to be filed by Section 751.004, Health and Safety Code,
2 on or after the effective date of this Act. A mass gathering, as
3 defined by Section 751.002, Health and Safety Code, as that section
4 existed before the effective date of this Act, for which a permit
5 application is required to be filed before the effective date of
6 this Act by Section 751.004, Health and Safety Code, is governed by
7 the law in effect on the date the permit application is required to
8 be filed, and the former law is continued in effect for that
9 purpose.

10 SECTION 3. This Act takes effect immediately if it receives
11 a vote of two-thirds of all the members elected to each house, as
12 provided by Section 39, Article III, Texas Constitution. If this
13 Act does not receive the vote necessary for immediate effect, this
14 Act takes effect September 1, 2005.