

1-1 By: Madla, Gallegos S.B. No. 270  
1-2 (In the Senate - Filed January 25, 2005; February 3, 2005,  
1-3 read first time and referred to Committee on Intergovernmental  
1-4 Relations; February 24, 2005, reported favorably by the following  
1-5 vote: Yeas 4, Nays 0; February 24, 2005, sent to printer.)

1-6 A BILL TO BE ENTITLED  
1-7 AN ACT

1-8 relating to mass gatherings outside the limits of a municipality.

1-9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-10 SECTION 1. Subdivision (1), Section 751.002, Health and  
1-11 Safety Code, is amended to read as follows:

1-12 (1) "Mass gathering" means a gathering:

1-13 (A) that is held outside the limits of a  
1-14 municipality;

1-15 (B) ~~and~~ that attracts or is expected to  
1-16 attract:

1-17 (i) more than 2,500 ~~[5,000]~~ persons; or

1-18 (ii) more than 500 persons, if 51 percent or

1-19 more of those persons may reasonably be expected to be younger than

1-20 21 years of age and it is planned or may reasonably be expected that

1-21 alcoholic beverages will be sold, served, or consumed at or around

1-22 the gathering; and

1-23 (C) at which the persons ~~who~~ will remain:

1-24 (i) [~~at the meeting location~~] for more than

1-25 five continuous hours; or

1-26 (ii) for any amount of time during the

1-27 period beginning at 10 p.m. and ending at 4 a.m.

1-28 SECTION 2. The change in law made by this Act applies only

1-29 to a mass gathering, as defined by Section 751.002, Health and

1-30 Safety Code, as amended by this Act, for which a permit application

1-31 is required to be filed by Section 751.004, Health and Safety Code,

1-32 on or after the effective date of this Act. A mass gathering, as

1-33 defined by Section 751.002, Health and Safety Code, as that section

1-34 existed before the effective date of this Act, for which a permit

1-35 application is required to be filed before the effective date of

1-36 this Act by Section 751.004, Health and Safety Code, is governed by

1-37 the law in effect on the date the permit application is required to

1-38 be filed, and the former law is continued in effect for that

1-39 purpose.

1-40 SECTION 3. This Act takes effect immediately if it receives

1-41 a vote of two-thirds of all the members elected to each house, as

1-42 provided by Section 39, Article III, Texas Constitution. If this

1-43 Act does not receive the vote necessary for immediate effect, this

1-44 Act takes effect September 1, 2005.

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