

BILL ANALYSIS

S.B. 2341
By: Averitt
Licensing & Administrative Procedures
Committee Report (Unamended)

BACKGROUND AND PURPOSE

S.B. 2341 authorizes a holder of a mixed beverage permit whose premises are located on property owned by certain municipalities, or a holder of a caterer's permit operating under the permit in an area in such a municipality, to allow a patron to leave the premises or area with an open container of an alcoholic beverage under specified conditions.

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

S.B. 2341 amends the Alcoholic Beverage Code to authorize a holder of a mixed beverage permit whose permitted premises are located on property owned by a municipality that contains a municipally owned conference center, borders a lake, has a population of less than 15,000, is located in a county with population of less than 65,000, and contains a historic preservation district that borders a lake to permit a patron to leave the premises, even though the patron possesses an alcoholic beverage, if the beverage is in an open container and appears to be possessed for present consumption and the public consumption of alcoholic beverages or possession of an open container of an alcoholic beverage is not prohibited on the municipally owned property where the premises are located. The bill authorizes a holder of a caterer's permit operating under the permit in an area in such a municipality to allow a patron to leave the area with an open container of an alcoholic beverage under the above conditions and if such public consumption or possession is not prohibited on the municipally owned property where the area is located.

S.B. 2341 establishes that its provisions do not affect the prohibition against possessing an open container in a passenger area of a motor vehicle.

EFFECTIVE DATE

September 1, 2009.