

1-1 By: Ortiz, Jr., Guillen H.B. No. 1505
1-2 (Senate Sponsor - Hinojosa)
1-3 (In the Senate - Received from the House April 22, 2009;
1-4 April 23, 2009, read first time and referred to Committee on
1-5 Business and Commerce; May 6, 2009, reported favorably by the
1-6 following vote: Yeas 7, Nays 0; May 6, 2009, sent to printer.)

1-7 A BILL TO BE ENTITLED
1-8 AN ACT

1-9 relating to the promotion or advertising of alcoholic beverages in
1-10 relation to certain facilities owned by a municipality or county.

1-11 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-12 SECTION 1. Subchapter C, Chapter 108, Alcoholic Beverage
1-13 Code, is amended by adding Section 108.755 to read as follows:

1-14 Sec. 108.755. CERTAIN GOVERNMENTALLY OWNED FACILITIES. (a)
1-15 Section 108.75 does not restrict or govern the promotion,
1-16 sponsorship, or advertising of an entertainment event, or the
1-17 promotion or advertising of an alcoholic beverage brand or product,
1-18 at a facility owned by a municipality or county that is financed
1-19 with public securities, the interest on which is exempt from
1-20 federal income taxation under the Internal Revenue Code of 1986.

1-21 (b) Financial arrangements, including profit sharing,
1-22 between a concessionaire operating at a facility described by
1-23 Subsection (a) and a person operating the concession facilities
1-24 under a contract with the license or permit holder or the
1-25 municipality or county do not constitute and are not evidence of
1-26 subterfuge ownership prohibited by Section 109.53.

1-27 SECTION 2. This Act takes effect September 1, 2009.

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