

By: Keffer

H.B. No. 2607

A BILL TO BE ENTITLED

AN ACT

relating to authorizing individuals to leave certain permitted premises with alcoholic beverages.

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

SECTION 1. Chapter 28, Alcoholic Beverage Code, is amended by adding Section 28.101 to read as follows:

Sec. 28.101. PUBLIC CONSUMPTION. (a) This section applies only to a mixed beverage permit holder whose premises are located in a municipality that:

(1) has a population of less than 10,000;

(2) is located in a county with a population of less than 50,000; and

(3) contains a historic preservation district that borders a lake.

(b) Notwithstanding Section 28.10 or any other law, the holder of a mixed beverage permit whose permitted premises are located in a historic preservation district or a historic compatibility district adjacent to a historic preservation district may permit a patron to leave the permitted premises, even though the patron possesses an alcoholic beverage, if:

(1) the beverage is in an open container and appears to be possessed for present consumption; and

(2) the public consumption of alcoholic beverages or possession of an open container of an alcoholic beverage is not

1 prohibited in the historic preservation district or historic
2 compatibility district where the permitted premises are located.

3 SECTION 2. This Act takes effect September 1, 2009.