

By: Veasey

H.B. No. 4319

A BILL TO BE ENTITLED

AN ACT

relating to local regulation of the distance requirements for the sale and consumption of alcoholic beverages near certain plasma centers.

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

SECTION 1. Subchapter C, Chapter 109, Alcoholic Beverage Code, is amended by adding Section 109.37 to read as follows:

Sec. 109.37 CONSUMPTION OF ALCOHOLIC BEVERAGES NEAR CERTAIN PLASMA CENTER. (a) In this section:

(1) "Central business district" has the meaning assigned by Section 109.36.

(2) "Plasma center" means a publicly or privately operated facility at which individuals may donate blood plasma.

(3) "Open container" has the meaning assigned by Section 109.35.

(b) The commissioners court of a county may enact regulations applicable in areas in the county outside an incorporated city or town, and the governing board of an incorporated city or town may enact regulations applicable in the city or town, prohibiting the possession of an open container or the consumption of an alcoholic beverage on a public street, public alley, or public sidewalk within 1,000 feet of the property line of a plasma center that is not located in a central business district.

(c) If the commissioners court of a county or the governing

1 board of an incorporated city or town enacts a prohibition under
2 Subsection (b), the commissioners court or the governing board may
3 enact regulations allowing special temporary events for which
4 Subsection (b) may be suspended.

5 Section 2. This Act takes effect September 1, 2009.