

By: Van de Putte

S.B. No. 693

A BILL TO BE ENTITLED

AN ACT

relating to the sale of an alcoholic beverage to a minor.

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

SECTION 1. Section 106.03(b), Alcoholic Beverage Code, is amended to read as follows:

(b) A person who sells a minor an alcoholic beverage does not commit an offense if the minor falsely represents himself to be 21 years old or older by displaying an apparently valid proof of identification that contains [~~Texas driver's license or an identification card issued by the Texas Department of Public Safety, containing~~] a physical description and photograph consistent with the minor's [his] appearance, purports to establish that the minor is 21 years of age or older, and was issued by a governmental agency [~~for the purpose of inducing the person to sell him an alcoholic beverage~~]. The proof of identification may include a driver's license issued by this state or another state, a passport, or an identification card issued by a state or the federal government.

SECTION 2. The defenses added by this Act to Section 160.03(b), Alcoholic Beverage Code, are available to a person regardless of when the offense was committed but only for trials commencing on or after the effective date of this Act.

SECTION 3. This Act takes effect immediately if it receives a vote of two-thirds of all the members elected to each house, as

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1 provided by Section 39, Article III, Texas Constitution. If this  
2 Act does not receive the vote necessary for immediate effect, this  
3 Act takes effect September 1, 2009.