

1-1 By: Van de Putte S.B. No. 693
1-2 (In the Senate - Filed February 6, 2009; February 23, 2009,
1-3 read first time and referred to Committee on Business and Commerce;
1-4 April 24, 2009, reported adversely, with favorable Committee
1-5 Substitute by the following vote: Yeas 7, Nays 0; April 24, 2009,
1-6 sent to printer.)

1-7 COMMITTEE SUBSTITUTE FOR S.B. No. 693 By: Eltife

1-8 A BILL TO BE ENTITLED
1-9 AN ACT

1-10 relating to proof of identification to purchase an alcoholic
1-11 beverage.

1-12 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-13 SECTION 1. Subsection (b), Section 106.03, Alcoholic
1-14 Beverage Code, is amended to read as follows:

1-15 (b) A person who sells a minor an alcoholic beverage does
1-16 not commit an offense if the minor falsely represents himself to be
1-17 21 years old or older by displaying an apparently valid proof of
1-18 identification that contains [Texas driver's license or an
1-19 identification card issued by the Texas Department of Public
1-20 Safety, containing] a physical description and photograph
1-21 consistent with the minor's [his] appearance, purports to establish
1-22 that the minor is 21 years of age or older, and was issued by a
1-23 governmental agency [for the purpose of inducing the person to sell
1-24 him an alcoholic beverage]. The proof of identification may
1-25 include a driver's license or identification card issued by the
1-26 Department of Public Safety, a passport, or a military
1-27 identification card.

1-28 SECTION 2. The defenses added by this Act to Subsection (b),
1-29 Section 160.03, Alcoholic Beverage Code, are available to a person
1-30 regardless of when the offense was committed but only for trials
1-31 commencing on or after the effective date of this Act.

1-32 SECTION 3. This Act takes effect immediately if it receives
1-33 a vote of two-thirds of all the members elected to each house, as
1-34 provided by Section 39, Article III, Texas Constitution. If this
1-35 Act does not receive the vote necessary for immediate effect, this
1-36 Act takes effect September 1, 2009.

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