

AN ACT

relating to consumption of alcoholic beverages in certain public entertainment facilities.

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

SECTION 1. Subchapter C, Chapter 108, Alcoholic Beverage Code, is amended by adding Section 108.82 to read as follows:

Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN CERTAIN PUBLIC ENTERTAINMENT FACILITIES. (a) This section applies only with respect to a public entertainment facility:

(1) that is a stadium:

(A) located in a county with a population of more than 1.6 million;

(B) constructed not later than 1994; and

(C) with a seating capacity of at least 45,000;

and

(2) for which all alcoholic beverage permits and licenses are held by a single independent concessionaire.

(b) Notwithstanding Section 28.10, the independent concessionaire for a public entertainment facility described by Subsection (a) may allow a patron who possesses an alcoholic beverage to enter or leave a licensed or permitted premises within the facility if the alcoholic beverage:

(1) is in an open container, as defined by Section 49.031, Penal Code;

- 1 (2) appears to be possessed for present consumption;
2 (3) remains within the confines of the facility,
3 excluding a parking lot; and
4 (4) was purchased legally at a licensed or permitted
5 premises within the facility.

6 SECTION 2. This Act takes effect immediately if it receives
7 a vote of two-thirds of all the members elected to each house, as
8 provided by Section 39, Article III, Texas Constitution. If this
9 Act does not receive the vote necessary for immediate effect, this
10 Act takes effect September 1, 2013.

President of the Senate

Speaker of the House

I certify that H.B. No. 893 was passed by the House on April 11, 2013, by the following vote: Yeas 144, Nays 0, 2 present, not voting; and that the House concurred in Senate amendments to H.B. No. 893 on May 6, 2013, by the following vote: Yeas 144, Nays 0, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 893 was passed by the Senate, with amendments, on May 2, 2013, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor