

By: Hancock

S.B. No. 400

A BILL TO BE ENTITLED

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 and

3           (3) remains within the confines of the facility,

4 excluding a parking lot.

5           SECTION 2. This Act takes effect September 1, 2013.