

1-1 By: Hancock S.B. No. 400
 1-2 (In the Senate - Filed February 5, 2013; February 13, 2013,
 1-3 read first time and referred to Committee on Business and Commerce;
 1-4 April 11, 2013, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 11, 2013,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-8				
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			
1-17	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 400 By: Hancock

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to consumption of alcoholic beverages in certain public
 1-22 entertainment facilities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Subchapter C, Chapter 108, Alcoholic Beverage
 1-25 Code, is amended by adding Section 108.82 to read as follows:

1-26 Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN CERTAIN
 1-27 PUBLIC ENTERTAINMENT FACILITIES. (a) This section applies only
 1-28 with respect to a public entertainment facility:

1-29 (1) that is a stadium:
 1-30 (A) located in a county with a population of more
 1-31 than 1.6 million;

1-32 (B) constructed not later than 1994; and
 1-33 (C) with a seating capacity of at least 45,000;

1-34 and

1-35 (2) for which all alcoholic beverage permits and
 1-36 licenses are held by a single independent concessionaire.

1-37 (b) Notwithstanding Section 28.10, the independent
 1-38 concessionaire for a public entertainment facility described by
 1-39 Subsection (a) may allow a patron who possesses an alcoholic
 1-40 beverage to enter or leave a licensed or permitted premises within
 1-41 the facility if the alcoholic beverage:

1-42 (1) is in an open container, as defined by Section
 1-43 49.031, Penal Code;

1-44 (2) appears to be possessed for present consumption;

1-45 (3) remains within the confines of the facility,
 1-46 excluding a parking lot; and

1-47 (4) was purchased legally at a licensed or permitted
 1-48 premises within the facility.

1-49 SECTION 2. This Act takes effect September 1, 2013.

1-50 * * * * *