

SENATE AMENDMENTS

2nd Printing

By: Geren

H.B. No. 893

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 (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 September 1, 2013.

ADOPTED

MAY 02 2013

Atty Gen
Secretary of the Senate

By: Hancock

H.B. No. 893

Substitute the following for .B. No. :

By: [Signature]

C.S.H.B. No. 893

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3 entertainment facilities.

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9 respect to a public entertainment facility:

- 10 (1) that is a stadium:
- 11 (A) located in a county with a population of more
- 12 than 1.6 million;
- 13 (B) constructed not later than 1994; and
- 14 (C) with a seating capacity of at least 45,000;
- 15 and

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

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

- 23 (1) is in an open container, as defined by Section
- 24 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.

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

May 2, 2013

TO: Honorable Joe Straus, Speaker of the House, House of Representatives

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB893 by Geren (Relating to consumption of alcoholic beverages in certain public entertainment facilities.), **As Passed 2nd House**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, KK, RB, SD, AG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 23, 2013

TO: Honorable Kevin Eltife, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB893 by Geren (relating to consumption of alcoholic beverages in certain public entertainment facilities), **Committee Report 2nd House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, KK, RB, SD, AG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

April 19, 2013

TO: Honorable Kevin Eltife, Chair, Senate Committee on Administration

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB893 by Geren (Relating to consumption of alcoholic beverages in certain public entertainment facilities.), **As Engrossed**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, KK, RB, SD, AG

**LEGISLATIVE BUDGET BOARD
Austin, Texas**

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 27, 2013

TO: Honorable Wayne Smith, Chair, House Committee on Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: **HB893** by Geren (Relating to consumption of alcoholic beverages in certain public entertainment facilities.), **Committee Report 1st House, Substituted**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, RB, SD, AG

LEGISLATIVE BUDGET BOARD
Austin, Texas

FISCAL NOTE, 83RD LEGISLATIVE REGULAR SESSION

March 18, 2013

TO: Honorable Wayne Smith, Chair, House Committee On Licensing & Administrative Procedures

FROM: Ursula Parks, Director, Legislative Budget Board

IN RE: HB893 by Geren (Relating to consumption of alcoholic beverages in certain public entertainment facilities.), **As Introduced**

No fiscal implication to the State is anticipated.

Local Government Impact

No fiscal implication to units of local government is anticipated.

Source Agencies: 304 Comptroller of Public Accounts, 458 Alcoholic Beverage Commission

LBB Staff: UP, RB, SD, AG