

By: King of Taylor

H.B. No. 769

A BILL TO BE ENTITLED

1 AN ACT
2 relating to the elements of and punishment for the offense of
3 providing an alcoholic beverage to a minor.

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

5 SECTION 1. Section 106.06(a), Alcoholic Beverage Code, as
6 amended by Chapters 437 (S.B. 55) and 934 (H.B. 1445), Acts of the
7 73rd Legislature, Regular Session, 1993, is reenacted and amended
8 to read as follows:

9 (a) Except as provided in Subsection (b) [~~of this section~~],
10 a person commits an offense if the person [~~he~~] purchases an
11 alcoholic beverage for or gives or with criminal negligence makes
12 available an alcoholic beverage to a minor [~~with criminal~~
13 ~~negligence~~].

14 SECTION 2. Section 106.06, Alcoholic Beverage Code, is
15 amended by amending Subsection (c) and adding Subsection (c-1) to
16 read as follows:

17 (c) Except as provided by Subsection (c-1), an [~~An~~] offense
18 under this section is a Class A misdemeanor.

19 (c-1) An offense under this section is a state jail felony
20 if it is shown on the trial of the offense that the person purchased
21 an alcoholic beverage for or gave or made an alcoholic beverage
22 available to a minor who, as a result of the consumption of the
23 alcoholic beverage, caused another person to suffer serious bodily
24 injury or death.

1 SECTION 3. The changes in law made by this Act apply only to
2 an offense committed on or after the effective date of this Act. An
3 offense committed before the effective date of this Act is governed
4 by the law in effect when the offense was committed, and that law is
5 continued in effect for that purpose. For the purposes of this
6 section, an offense is committed before the effective date of this
7 Act if any element of the offense occurs before that date.

8 SECTION 4. This Act takes effect September 1, 2015.