

By: Menéndez

S.B. No. 1318

A BILL TO BE ENTITLED

AN ACT

relating to the local regulation of distance requirements for the possession or consumption of alcoholic beverages near public transportation stops.

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

SECTION 1. Subchapter C, Chapter 109, Alcoholic Beverage Code, is amended by adding Section 109.37 to read as follows:

Sec. 109.37. CONSUMPTION OF ALCOHOLIC BEVERAGES NEAR PUBLIC TRANSPORTATION STOPS. (a) In this section:

(1) "Open container" has the meaning assigned by Section 109.35.

(2) "Public transportation passenger vehicle" means a vehicle operated by a political subdivision and used for the transportation of passengers for a fee.

(b) The commissioners court of a county may enact regulations applicable in areas in the county outside an incorporated city or town, and the governing board of an incorporated city or town may enact regulations applicable in the city or town, prohibiting the possession of an open container or the consumption of an alcoholic beverage on a public street, public alley, or public sidewalk within 300 feet of the property line of a station, platform, bus stop, bus shelter, or other place designated as a place of entry to or exit from a public transportation passenger vehicle.

1 (c) If the commissioners court of a county or the governing
2 board of an incorporated city or town enacts regulations under
3 Subsection (b), the commissioners court or the governing board may
4 temporarily suspend the regulations for a special event in the
5 county or the city or town.

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, 2015.