

By: Geren

H.B. No. 2953

Substitute the following for H.B. No. 2953:

By: Kuempel

C.S.H.B. No. 2953

A BILL TO BE ENTITLED

1 AN ACT

2 relating to the definition of a public entertainment facility and  
3 the promotion, sponsorship, or advertising of an entertainment  
4 event or venue or alcoholic beverage at certain governmentally  
5 owned public entertainment facilities.

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

7 SECTION 1. Section 108.73(2), Alcoholic Beverage Code, is  
8 amended to read as follows:

9 (2) "Public entertainment facility" means an arena,  
10 stadium, automobile race track, amphitheater, auditorium, theater,  
11 civic center, convention center, or similar facility that is  
12 primarily designed and used for live artistic, theatrical,  
13 cultural, educational, charitable, musical, sporting, nationally  
14 sanctioned automobile racing, or entertainment events. The term  
15 includes a facility that is part of an approved venue project,  
16 including the venue and related infrastructure, as those terms are  
17 defined by Section 334.001, Local Government Code. The term does  
18 not include a facility the primary purpose of which is the sale of  
19 food or alcoholic beverages, including a bar, nightclub,  
20 restaurant, hotel, bowling alley, pool hall, or dance hall, or a  
21 facility that derives 75 percent or more of the facility's annual  
22 gross revenue from the on-premise sale of alcoholic beverages,  
23 except for a facility that is part of an approved venue project,  
24 including the venue and related infrastructure, as those terms are

1 defined by Section 334.001, Local Government Code.

2 SECTION 2. Section 108.755(a), Alcoholic Beverage Code, is  
3 amended to read as follows:

4 (a) Section 108.75 does not restrict or govern the  
5 promotion, sponsorship, or advertising of an entertainment event,  
6 or the promotion or advertising of an alcoholic beverage brand or  
7 product, at a facility that is:

8 (1) owned by a municipality or county that is financed  
9 with public securities, the interest on which is exempt from  
10 federal income taxation under the Internal Revenue Code of 1986; or

11 (2) part of an approved venue project, including the  
12 venue and related infrastructure, as those terms are defined by  
13 Section 334.001, Local Government Code.

14 SECTION 3. This Act takes effect immediately if it receives  
15 a vote of two-thirds of all the members elected to each house, as  
16 provided by Section 39, Article III, Texas Constitution. If this  
17 Act does not receive the vote necessary for immediate effect, this  
18 Act takes effect September 1, 2017.