

By: Hancock, West

S.B. No. 1284

A BILL TO BE ENTITLED

AN ACT

relating to consumption of alcoholic beverages in public entertainment facilities and zones.

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

SECTION 1. Section 108.73, Alcoholic Beverage Code, is amended by adding Subdivision (3-a) to read as follows:

(3-a) "Public entertainment zone" means an area of land that:

(A) is owned by a municipality with a population of 175,000 or more;

(B) is designated as a public entertainment zone by the governing body of a municipality in a formal meeting; and

(C) contains a public safety facility.

SECTION 2. The heading to Section 108.82, Alcoholic Beverage Code, is amended to read as follows:

Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN PUBLIC ENTERTAINMENT FACILITIES AND ZONES.

SECTION 3. Sections 108.82(a) and (b), Alcoholic Beverage Code, are amended to read as follows:

(a) This section applies only to [~~a public entertainment facility~~]:

(1) a public entertainment facility that is owned or leased by the Texas State Railroad Authority and used as a station for passenger rail services; [~~or~~]

1 (2) a public entertainment facility that is a stadium,
2 arena, or other permanent structure that is used for sporting
3 events and:

4 (A) relating to which an agreement approved by
5 the administrator under Section 108.79 is in force; and

6 (B) for which all alcoholic beverage permits and
7 licenses are held by a single holder; or

8 (3) a public entertainment zone.

9 (b) Notwithstanding Section 28.10, the concessionaire for a
10 public entertainment facility or a public entertainment zone
11 described by Subsection (a) may allow a patron who possesses an
12 alcoholic beverage to enter or leave a licensed or permitted
13 premises within the facility or zone if the alcoholic beverage:

14 (1) is in an open container, as defined by Section
15 49.031, Penal Code;

16 (2) appears to be possessed for present consumption;

17 (3) except as provided by Section 48.01(b), remains
18 within the confines of the facility or zone, excluding a parking
19 lot; and

20 (4) was purchased legally at a licensed or permitted
21 premises within the facility or zone.

22 SECTION 4. This Act takes effect September 1, 2021.