

1-1 By: Hancock, West S.B. No. 1284  
1-2 (In the Senate - Filed March 9, 2021; March 18, 2021, read  
1-3 first time and referred to Committee on Business & Commerce;  
1-4 March 31, 2021, reported favorably by the following vote: Yeas 9,  
1-5 Nays 0; March 31, 2021, sent to printer.)

1-6 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
1-7				
1-8	X			
1-9	X			
1-10	X			
1-11	X			
1-12	X			
1-13	X			
1-14	X			
1-15	X			
1-16	X			

1-17 A BILL TO BE ENTITLED  
1-18 AN ACT

1-19 relating to consumption of alcoholic beverages in public  
1-20 entertainment facilities and zones.

1-21 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-22 SECTION 1. Section 108.73, Alcoholic Beverage Code, is  
1-23 amended by adding Subdivision (3-a) to read as follows:

1-24 (3-a) "Public entertainment zone" means an area of  
1-25 land that:

1-26 (A) is owned by a municipality with a population  
1-27 of 175,000 or more;

1-28 (B) is designated as a public entertainment zone  
1-29 by the governing body of a municipality in a formal meeting; and

1-30 (C) contains a public safety facility.

1-31 SECTION 2. The heading to Section 108.82, Alcoholic  
1-32 Beverage Code, is amended to read as follows:

1-33 Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN PUBLIC  
1-34 ENTERTAINMENT FACILITIES AND ZONES.

1-35 SECTION 3. Sections 108.82(a) and (b), Alcoholic Beverage  
1-36 Code, are amended to read as follows:

1-37 (a) This section applies only to [~~a public entertainment~~  
1-38 ~~facility~~]:

1-39 (1) a public entertainment facility that is owned or  
1-40 leased by the Texas State Railroad Authority and used as a station  
1-41 for passenger rail services; [~~or~~]

1-42 (2) a public entertainment facility that is a stadium,  
1-43 arena, or other permanent structure that is used for sporting  
1-44 events and:

1-45 (A) relating to which an agreement approved by  
1-46 the administrator under Section 108.79 is in force; and

1-47 (B) for which all alcoholic beverage permits and  
1-48 licenses are held by a single holder; or

1-49 (3) a public entertainment zone.

1-50 (b) Notwithstanding Section 28.10, the concessionaire for a  
1-51 public entertainment facility or a public entertainment zone  
1-52 described by Subsection (a) may allow a patron who possesses an  
1-53 alcoholic beverage to enter or leave a licensed or permitted  
1-54 premises within the facility or zone if the alcoholic beverage:

1-55 (1) is in an open container, as defined by Section  
1-56 49.031, Penal Code;

1-57 (2) appears to be possessed for present consumption;

1-58 (3) except as provided by Section 48.01(b), remains  
1-59 within the confines of the facility or zone, excluding a parking  
1-60 lot; and

1-61 (4) was purchased legally at a licensed or permitted

2-1 premises within the facility or zone.

2-2 SECTION 4. This Act takes effect September 1, 2021.

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