

AN ACT

relating to the offense of providing an alcoholic beverage to a minor; increasing a criminal penalty.

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

SECTION 1. This Act may be cited as Kyle and Ethan's Law.

SECTION 2. Section 106.06(a), Alcoholic Beverage Code, as amended by Chapters 437 (S.B. 55) and 934 (H.B. 1445), Acts of the 73rd Legislature, Regular Session, 1993, is reenacted and amended to read as follows:

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

SECTION 3. Section 106.06, Alcoholic Beverage Code, is amended by amending Subsection (c) and adding Subsection (c-1) to read as follows:

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

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

1 SECTION 4. 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 5. This Act takes effect September 1, 2023.

President of the Senate

Speaker of the House

I certify that H.B. No. 420 was passed by the House on April 20, 2023, by the following vote: Yeas 146, Nays 0, 1 present, not voting; and that the House concurred in Senate amendments to H.B. No. 420 on May 24, 2023, by the following vote: Yeas 142, Nays 2, 1 present, not voting.

Chief Clerk of the House

I certify that H.B. No. 420 was passed by the Senate, with amendments, on May 19, 2023, by the following vote: Yeas 31, Nays 0.

Secretary of the Senate

APPROVED: _____

Date

Governor