

1-1 By: Eltife S.B. No. 802
 1-2 (In the Senate - Filed February 26, 2015; March 3, 2015,
 1-3 read first time and referred to Committee on Business and Commerce;
 1-4 April 9, 2015, reported adversely, with favorable Committee
 1-5 Substitute by the following vote: Yeas 9, Nays 0; April 9, 2015,
 1-6 sent to printer.)

1-7 COMMITTEE VOTE

	Yea	Nay	Absent	PNV
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	X			

1-18 COMMITTEE SUBSTITUTE FOR S.B. No. 802 By: Schwertner

1-19 A BILL TO BE ENTITLED
 1-20 AN ACT

1-21 relating to consumption of alcoholic beverages in public
 1-22 entertainment facilities.

1-23 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-24 SECTION 1. Section 108.82, Alcoholic Beverage Code, is
 1-25 amended to read as follows:

1-26 Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN ~~[CERTAIN]~~
 1-27 PUBLIC ENTERTAINMENT FACILITIES. (a) This section applies only
 1-28 ~~[with respect]~~ to a public entertainment facility:

1-29 (1) that is a stadium, arena, or other permanent
 1-30 structure that is used for sporting events;

1-31 (2) relating to which an agreement approved by the
 1-32 administrator under Section 108.79 is in force~~+~~

1-33 ~~[(A) located in a county with a population of~~
 1-34 ~~more than 1.6 million;~~

1-35 ~~[(B) constructed not later than 1994; and~~

1-36 ~~[(C) with a seating capacity of at least 45,000];~~

1-37 and

1-38 (3) ~~[(2)]~~ for which all alcoholic beverage permits and
 1-39 licenses are held by a single holder ~~[independent concessionaire]~~.

1-40 (b) Notwithstanding Section 28.10, the ~~[independent]~~
 1-41 concessionaire for a public entertainment facility described by
 1-42 Subsection (a) may allow a patron who possesses an alcoholic
 1-43 beverage to enter or leave a licensed or permitted premises within
 1-44 the facility if the alcoholic beverage:

1-45 (1) is in an open container, as defined by Section
 1-46 49.031, Penal Code;

1-47 (2) appears to be possessed for present consumption;

1-48 (3) remains within the confines of the facility,
 1-49 excluding a parking lot; and

1-50 (4) was purchased legally at a licensed or permitted
 1-51 premises within the facility.

1-52 SECTION 2. This Act takes effect immediately if it receives
 1-53 a vote of two-thirds of all the members elected to each house, as
 1-54 provided by Section 39, Article III, Texas Constitution. If this
 1-55 Act does not receive the vote necessary for immediate effect, this
 1-56 Act takes effect September 1, 2015.

1-57 * * * * *