

1-1 By: Turner of Tarrant, et al. H.B. No. 2127  
 1-2 (Senate Sponsor - Hancock)  
 1-3 (In the Senate - Received from the House April 12, 2021;  
 1-4 April 14, 2021, read first time and referred to Committee on  
 1-5 Administration; May 10, 2021, reported favorably by the following  
 1-6 vote: Yeas 4, Nays 0; May 10, 2021, sent to printer.)

1-7 COMMITTEE VOTE

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

1-16 A BILL TO BE ENTITLED  
 1-17 AN ACT

1-18 relating to consumption of alcoholic beverages in public  
 1-19 entertainment facilities and zones.

1-20 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

1-21 SECTION 1. Section 108.73, Alcoholic Beverage Code, is  
 1-22 amended by adding Subdivision (3-a) to read as follows:

1-23 (3-a) "Public entertainment zone" means an area of  
 1-24 land that:

1-25 (A) is owned by a municipality with a population  
 1-26 of 175,000 or more;

1-27 (B) is designated as a public entertainment zone  
 1-28 by the governing body of a municipality in a formal meeting; and

1-29 (C) contains a public safety facility.

1-30 SECTION 2. The heading to Section 108.82, Alcoholic  
 1-31 Beverage Code, is amended to read as follows:

1-32 Sec. 108.82. ALCOHOLIC BEVERAGE CONSUMPTION IN PUBLIC  
 1-33 ENTERTAINMENT FACILITIES AND ZONES.

1-34 SECTION 3. Sections 108.82(a) and (b), Alcoholic Beverage  
 1-35 Code, are amended to read as follows:

1-36 (a) This section applies only to [~~a public entertainment~~  
 1-37 ~~facility~~]:

1-38 (1) a public entertainment facility that is owned or  
 1-39 leased by the Texas State Railroad Authority and used as a station  
 1-40 for passenger rail services; [~~or~~]

1-41 (2) a public entertainment facility that is a stadium,  
 1-42 arena, or other permanent structure that is used for sporting  
 1-43 events and:

1-44 (A) relating to which an agreement approved by  
 1-45 the administrator under Section 108.79 is in force; and

1-46 (B) for which all alcoholic beverage permits and  
 1-47 licenses are held by a single holder; or

1-48 (3) a public entertainment zone.

1-49 (b) Notwithstanding Section 28.10, the concessionaire for a  
 1-50 public entertainment facility or a public entertainment zone  
 1-51 described by Subsection (a) may allow a patron who possesses an  
 1-52 alcoholic beverage to enter or leave a licensed or permitted  
 1-53 premises within the facility or zone if the alcoholic beverage:

1-54 (1) is in an open container, as defined by Section  
 1-55 49.031, Penal Code;

1-56 (2) appears to be possessed for present consumption;

1-57 (3) except as provided by Section 48.01(b), remains  
 1-58 within the confines of the facility or zone, excluding a parking  
 1-59 lot; and

1-60 (4) was purchased legally at a licensed or permitted  
 1-61 premises within the facility or zone.

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

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