

SUBJECT: Allowing open containers of alcohol around Granbury convention center

COMMITTEE: Licensing and Administrative Procedures — favorable, without amendment

VOTE: 6 ayes — Thompson, Geren, Gutierrez, Hamilton, Jones, Menendez

0 nays

3 absent — Kuempel, Chisum, Quintanilla

SENATE VOTE: On final passage, April 30 — 31-0, on Local and Uncontested Calendar

WITNESSES: No public hearing

DIGEST: SB 2341 would authorize holders of alcoholic mixed beverage and caterer's permits who are affiliated with the Granbury convention center to allow patrons to leave their premises with certain type of open containers of alcoholic beverages. The bill would apply to holders of mixed beverage and caterer's permits located in cities:

- with populations of less than 15,000;
- that are located in counties with a population of less than 65,000;
and
- that contain an historic preservation district that borders a lake.

The permit holders' premises would have to be located on property owned by a city that contained a city-owned conference center that bordered a lake.

SB 2341 would authorize permit holders to allow patrons to leave the premises covered by the mixed beverage or caterer's permit with an alcoholic beverage if the beverage was in an open container and appeared to be possessed for present consumption, and if the public consumption of alcohol or the possession of open containers of alcohol were not prohibited on city property.

The bill would take effect September 1, 2009.

**SUPPORTERS
SAY:**

SB 2341 would help the city of Granbury increase the attractiveness of its resort convention center as a venue for conventions, meetings, weddings, events, and more. The bill would create a limited exception to prohibitions on leaving the premises of an alcoholic mixed beverage permit holder with a drink so that event attendees at the convention center could stroll on the area's boardwalk with their alcoholic beverages. This could help the convention center attract additional events, thereby increasing economic activity for the center and for the area. The exception in SB 2341 would be analogous to the current exception to laws that allow hotel patrons to move around with their drinks.

The bill would create a narrow exception to current law that would not lead to increases in underage access to alcohol or drinking. Events at the center are not likely to attract a large underage population. Current law prohibiting selling or serving alcohol to minors would still be in effect, and current enforcement of those laws would continue. Since this is a municipal facility, the city would have a strong incentive to ensure all laws were followed.

**OPPONENTS
SAY:**

Decreasing control of alcohol by allowing open containers in an area can lead to increased access to alcohol for youths and possibly increased underage drinking. Special events and open containers around a convention center could provide challenging circumstances in which to enforce underage consumption laws. Any increases in economic activity for the convention center should be balanced with potential costs from underage drinking.