

BILL ANALYSIS

Senate Research Center
86R9292 BEE-F

S.B. 2410
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Business & Commerce
3/29/2019
As Filed

AUTHOR'S / SPONSOR'S STATEMENT OF INTENT

Background:

Currently in statute, there is concern about the vague term "related infrastructure" when talking about a public entertainment facility (PEF). As written, this section of code makes it challenging for the Texas Alcoholic Beverage Commission (TABC) to apply these rules evenly. This ambiguity only creates more issues and confusion for TABC as they only apply this statute to adjacent PEF parking lots in certain instances and not in others.

Solution:

S.B. 2410 makes no substantive changes to existing law governing the sale of alcohol at PEFs, but would improve market certainty and enhance equal application of the law by clarifying that adjacent parking areas are included in the related infrastructure of a PEF under Section 108.73(2) of the Alcoholic Beverage Code. This more explicit definition of a related infrastructure "footprint" would provide a more precise standard in statute which the TABC field personnel can uniformly apply to all PEFs across the state. This bill would eliminate ambiguity and confusion by creating a uniform standard for application.

As proposed, S.B. 2410 amends current law relating to the definition of a public entertainment facility for purposes of certain alcoholic beverage-related activities.

RULEMAKING AUTHORITY

This bill does not expressly grant any additional rulemaking authority to a state officer, institution, or agency.

SECTION BY SECTION ANALYSIS

SECTION 1. Amends Section 108.73(2), Alcoholic Beverage Code, to redefine "public entertainment facility" to include parking areas that are adjacent to certain facilities.

SECTION 2. Effective date: upon passage or September 1, 2019.