

## **BILL ANALYSIS**

H.B. 2633  
By: Morrison  
Licensing & Administrative Procedures  
Committee Report (Unamended)

### **BACKGROUND AND PURPOSE**

It has been suggested that permitting an eligible school district to adopt a policy allowing the consumption, possession, and sale of an alcoholic beverage at an event hosted by a nonprofit organization that is not sponsored or sanctioned by the district would be beneficial. H.B. 2633 seeks to provide the authority to the board of trustees of a public school district located in a certain county to adopt such a policy.

### **CRIMINAL JUSTICE IMPACT**

It is the committee's opinion that this bill does not expressly create a criminal offense, increase the punishment for an existing criminal offense or category of offenses, or change the eligibility of a person for community supervision, parole, or mandatory supervision.

### **RULEMAKING AUTHORITY**

It is the committee's opinion that this bill does not expressly grant any additional rulemaking authority to a state officer, department, agency, or institution.

### **ANALYSIS**

H.B. 2633 amends the Education Code to authorize the board of trustees of a public school district located in a county that has a population of not more than 300,000 and in which a component university of the University of Houston System is located to adopt a policy allowing the consumption, possession, and sale of an alcoholic beverage at an event held at a performing arts facility owned by the district if the facility is leased to a nonprofit organization for an event not sponsored or sanctioned by the district. The bill requires such a lease agreement to require that the event be held outside of regular school hours and that the alcoholic beverages be sold by a person who holds an appropriate retail license or permit under the Alcoholic Beverage Code for the facility. The bill establishes as a defense to prosecution of possession of intoxicants on public school grounds that the person possessed the intoxicating beverage at a performing arts facility and during an event held outside of regular school hours and not sponsored or sanctioned by a school district.

H.B. 2633 amends the Alcoholic Beverage Code to make a conforming change.

### **EFFECTIVE DATE**

September 1, 2019.