

SUBJECT: Permission to bring alcoholic beverages to national race track events

COMMITTEE: Licensing and Administrative Procedures — committee substitute recommended

VOTE: 7 ayes — Wilson, Yarbrough, Goolsby, D. Jones, J. Moreno, A. Reyna, Wise
0 nays
2 absent — Flores, Haggerty

WITNESSES: For — Gib Lewis, Texas Motor Speedway
Against — None
On — Randy Yarbrough, Texas Alcoholic Beverage Commission

BACKGROUND: Under the Alcoholic Beverage Code, sec. 28.06, no holder of a mixed beverage permit, nor any officer, agent, or employee of the permit holder, may possess or permit to be possessed on permitted or licensed premises any alcoholic beverage that is not covered by an invoice from the supplier of the alcoholic beverage.

DIGEST: CSHB 1193 would allow holders of licenses or permits for the sale of alcohol for on-premises consumption to allow people to bring their own alcoholic beverages onto the licensed premises, consume the beverages there, and remove the beverages if the premises were located in a facility open to the general public where automobile racing events, including national racing events, and other events were held. The Texas Alcoholic Beverage Commission could adopt any rules necessary to implement these provisions.

The bill would take effect September 1, 2001.

SUPPORTERS SAY: CSHB 1193 would extend to Texas the NASCAR tradition in other states of allowing patrons to bring alcoholic beverages onto the race track premises. Because NASCAR racing events are all-day and often weekend events,

NASCAR allows camping on the premises and likes to allow fans to bring coolers filled with drinks and food onto the premises while they camp and enjoy the events.

CSHB 1193 would allow NASCAR fans to save money. The Texas Motor Speedway north of Fort Worth sells food and alcoholic beverages on its premises. However, buying drinks and food throughout the day for a family can be expensive, on top of tickets that can cost up to \$50.

CSHB 1193 would be permissive. If Texas NASCAR fans showed that they could not handle the responsibility of bringing alcoholic beverages into and removing them from the speedway, the business could revoke that privilege. Other events, such as concerts, also can take place at speedway, and the permit holder may not wish to allow patrons to bring alcoholic beverages to those events.

OPPONENTS
SAY:

Allowing patrons to bring their own alcohol to racing events and other events at the speedway could result in more public intoxication and more people driving while intoxicated. Even if the speedway limited the size of the coolers that patrons could bring, patrons could fill their coolers with the strongest liquor they could obtain.

Although alcohol is sold at these events, the variety is limited and does not include hard liquor. Also, alcohol servers are trained to identify people who have had too much to drink, and they can refuse to sell those people more alcohol. If patrons could bring their own alcohol, the permit holder could not exercise such preventive measures.

NOTES:

The committee substitute changed the filed version by making the provisions permissible rather than mandatory. The substitute also removed a provision that would have allowed the permit or license holder to refuse to allow a person to bring an alcoholic beverage onto the premises or consume it there if the beverage was of a type not allowed in the facility or under the terms of the license or permit.

The companion bill, SB 930 by Moncrief, has been referred to the Senate Business and Commerce Committee.

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House Research Organization
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