

HOUSE BILL 2758

By Pitts

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to consumption of alcoholic beverages in community theaters.

BE IT ENACTED BY THE GENERAL ASSEMBLY OF THE STATE OF TENNESSEE:

SECTION 1. Tennessee Code Annotated, Section 57-4-102(12), is amended by adding the following as a new subdivision:

(E) "Community theater" also includes a facility or theater possessing each of the following characteristics:

- (i) The facility is at least twenty-seven (27) years old;
- (ii) The facility has a performance hall seating not less than one hundred fifty (150) persons and not more than five hundred (500) persons;
- (iii) The facility is operated by a not-for-profit corporation which is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)), as amended, where no member or officer, agent or employee of any community theater is paid, or directly or indirectly receives, in the form of salary or other compensation, any profits from the sale of alcoholic beverages beyond the amount of the salary as may be fixed by its governing body for the reasonable performance of the person's assigned duties. All profits from the sale of alcoholic beverages by a not-for-profit corporation shall be used for the operation, renovation, refurbishing and maintenance of the facility, and in furtherance of the purposes of the organization; and
- (iv) The facility is located in any county having a population of not less than one hundred thirty-four thousand seven hundred (134,700) nor more than

one hundred thirty-four thousand eight hundred (134,800) according to the 2000 federal census or any subsequent federal census.

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.