

Amendment No. 1 to HB0985

Todd
Signature of Sponsor

AMEND Senate Bill No. 1273

House Bill No. 985*

by adding the following new sections immediately preceding the last section and by renumbering the subsequent section accordingly:

SECTION ____ Tennessee Code Annotated, Section 57-4-101(g), is amended by deleting the period (.) at the end of the subsection and substituting instead the following language:

or wherein the sale of alcoholic beverages for consumption has been approved pursuant to § 57-4-103. A special occasion license may also be issued for an event within the unincorporated area of a county if at least one (1) municipality in such county has approved the sale of alcoholic beverages at retail pursuant to § 57-3-106 or the sale of alcoholic beverages for consumption pursuant to § 57-4-103.

SECTION ____ Tennessee Code Annotated, Section 57-4-102(13), is amended by adding the following language as a new, appropriately designated subdivision:

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

- (i) Is a community theater in continuous operation since 1980;
- (ii) Has an auditorium with more than three hundred (300) seats;
- (iii) Provides or leases facilities for concerts, plays and programs of cultural, civic and education interest; and

- (iv) The facility is located in any municipality that has authorized the sale of alcoholic beverages for consumption on the premises, in a referendum in the manner prescribed by § 57-3-106, and the municipality has a population of not less than twenty-three thousand nine hundred

twenty (23,920), nor more than twenty-three thousand nine hundred thirty (23,930), according to the 2000 federal census or any subsequent federal census.

SECTION _____. Tennessee Code Annotated, Section 57-4-102(19), is amended by adding the following as a new, appropriately designated subdivision:

(_) "Historic performing arts center" also means a facility possessing each of the following characteristics:

- (i) Was built in 1931;
- (ii) Is on the National Register of Historic Places;
- (iii) Is maintained by a not-for-profit corporation which is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954, codified in 26 U.S.C. § 501(c), as amended;
- (iv) Has an auditorium that seats more than seven hundred fifty (750) people;
- (v) Provides programs of cultural, civic, and educational interest, including, but not limited to, stage plays and musical concerts; and
- (vi) Is located in any county having a population of not less than one hundred fifty-three thousand (153,000) nor more than one hundred fifty-three thousand one hundred (153,100) according to the 2000 federal census or any subsequent federal census.

SECTION _____. Tennessee Code Annotated, Section 57-4-102(32), is amended by adding the following language as a new, appropriately designated subdivisions:

() A special occasion license under this section may also be issued to a bona fide charitable organization that benefits charities which support women and children in Middle Tennessee and which;

- (1) Holds the event in a county having a population of not less than one hundred twenty-six thousand six hundred (126,600) nor more than one hundred twenty-six thousand seven hundred (126,700),

according to the 2000 federal census or any subsequent federal census, on property used as a veterinary clinic located on a 6.65 acre lot that shares a common boundary between a municipality and the unincorporated area of such county;

(2) Jurisdictions within the boundaries of such county have by referendum adopted both the sale of alcoholic beverages at retail package stores and for consumption on the premises;

(3) Is a one (1) day annual event restricted to persons twenty-one (21) years of age or older;

(4) Holds a grape stomp contest with teams made up of four (4) stompers and one (1) swabbie, who collects the juice created by the stompers in a jar, with the team producing the most juice winning the contest;

(5) Includes numerous food vendors;

(6) Has wine and spirits tastings; and

(7) Where alcoholic beverages are served but not sold.

(_) A special occasion license under this section may also be issued to a nonprofit community association for the purpose of serving samples of wine to persons holding a pre-sold ticket for an annual fundraiser, the samples not to exceed two ounces (2 oz.) per wine per person to be served at the annual fundraiser conducted by the community association in any county having a population of not less than one hundred twenty-six thousand six hundred (126,600) nor more than one hundred twenty-six thousand seven hundred (126,700) according to the 2000 federal census or any subsequent federal census. The fundraiser shall be an insured event with at least ten (10) wineries or restaurants participating in the event and food shall be available to attendees;

SECTION ____ . Tennessee Code Annotated, Section 57-4-102 (35), is amended by inserting the following language at the end of the subdivision:

A restaurant within a jurisdiction that has elected Tennessee River resort district status also means a restaurant located within such district which has an indoor seating capacity of at least forty (40) and an outdoor seating capacity of at least seventy-five (75) ; in addition with respect to such a restaurant, the term “seasonal closing” as used in subdivision (29)(A), means the period from November 1 to March 1 or a period of time, if different from such dates, as filed by the restaurant with the Alcoholic Beverage Commission;

SECTION ____ . Tennessee Code Annotated, Section 57-4-102(29)(A), is amended by deleting the language “holidays, vacations and periods of redecorating,” and by substituting instead the language “holidays, vacations, periods of redecorating and seasonal closings, as defined in subdivision (35), for those restaurants located within a jurisdiction that has elected Tennessee River resort district status.”.

SECTION ____ . Tennessee Code Annotated, Section 57-4-102(38), is amended by adding the following language as a new, appropriately designated subdivision:

() "Urban park center" also includes a facility possessing each of the following characteristics:

(i) Is owned, operated or leased by a municipal or county government, or any agency or commission thereof;

(ii) Has an outdoor fixed structure amphitheater utilized as a performance venue;

(iii) Provides or leases facilities for concerts, plays and programs of cultural, civic and educational interest; and

(iv) Is located in any municipality that has authorized the sale of alcoholic beverages for consumption on the premises, in a referendum in the manner prescribed by § 57-3-106, and the municipality has a population of not less than twenty-three thousand nine hundred twenty (23,920), nor more than twenty-three thousand nine hundred thirty

(23,930), according to the 2000 federal census or any subsequent federal census;

SECTION _____. Tennessee Code Annotated, Section 57-4-103(a)(1), is amended by deleting the period at the end of the subdivision and substituting instead a semicolon and adding the following language:

provided that, in addition to any other method authorized for holding an election pursuant to § 57-3-106, an election may be held for such sales upon adoption of a resolution by a two-thirds (2/3) vote of the legislative body of a county or municipality.

SECTION _____. Tennessee Code Annotated, Section 57-4-103(a)(2)(A), is amended by inserting the language "resolution or the" between the language "necessary" and the language "petition".

SECTION _____. Tennessee Code Annotated, Section 57-4-102(26), is amended by adding the following language as a new, appropriately designated subdivision:

() A commercially operated facility containing all of the following characteristics:

- (i) Has a restaurant serving an upscale menu featuring lobster tail, crab legs and fresh cut steaks;
- (ii) Is located on a lake by a marina;
- (iii) Has a boat dock within walking distance of the restaurant;
- (iii) Has indoor seating for approximately one hundred thirty (130) diners and outdoor dining on the patio with seating for approximately one hundred eighty (180);
- (iv) Offers live entertainment on the patio at its Tiki Bar; and
- (v) Is located in any county having a population of not less than forty-four thousand two hundred (44,200) nor more than forty-four thousand three hundred (44,300) according to the 2000 federal census or any subsequent federal census.