

HOUSE BILL 3115
By Langster

AN ACT to amend Tennessee Code Annotated, Title 39, Chapter 17, Part 7, relative to the possession of alcoholic beverages in certain containers.

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

SECTION 1. Tennessee Code Annotated, Title 39, Chapter 17, Part 7, is amended by adding the following as a new section:

Section____. (a) Notwithstanding any other provision of law to the contrary, it is an offense for a person to knowingly possess for the purpose of consumption on a public street, alley, sidewalk, parking lot, parking garage or other area generally open to the public, any beer or alcoholic beverage that is in a glass, aluminum, or metal container unless such container is commercially sealed.

(b) The provisions of this section shall not apply to possession in:

- (1) enclosed structures;
- (2) premises owned by scientific, religious or educational institutions; or
- (3) premises specifically permitted or licensed for the on-premises

consumption of beer or alcoholic beverages.

(c) The trier of fact may infer that a person who possesses a beer or alcoholic beverage in an open container of a kind not permitted in subsection (a) of this section is possessing such beer or alcoholic beverage for the purpose of consumption.

(d) A violation of this section is a Class C misdemeanor.

SECTION 2. This act shall take effect July 1, 1996, the public welfare requiring it.