

Amendment No. 1 to SB0681

Briggs
Signature of Sponsor

AMEND Senate Bill No. 681

House Bill No. 241*

by deleting all language after the enacting clause and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 57, Chapter 4, Part 1, is amended by adding the following new section:

(a) Notwithstanding any law to the contrary, a restaurant, limited service restaurant, or wine-only restaurant licensed under this chapter may offer drive-through, pickup, and carryout orders of alcoholic beverages and beer at the licensee's place of business if the sale of alcoholic beverages and beer for consumption off the licensee's premises:

(1) Is accompanied by the sale of prepared food in the same order;

(2) Is packaged in a bottle or can with a secure cap or in a container that is secured by tape which secures the lid, covers any openings in the lid, and which would show that it has been opened; and

(3) Consists of, per purchase, not more than:

(A) A single serving of alcoholic beverages, not to exceed sixteen fluid ounces (16 fl. oz.), or beer as authorized by the local beer board; or

(B) A container of wine that may be lawfully sold within this state.

(b) A licensee selling alcoholic beverages and beer under this section shall post a conspicuous sign containing the following language:

A driver shall not consume alcoholic beverages or beer while operating a motor vehicle in this state.

(c) This section does not authorize a licensee to sell bottles of distilled spirits.

(d) An employee of a licensee shall not provide alcoholic beverages or beer to a person under twenty-one (21) years of age or who is visibly intoxicated. An employee of a licensee who is providing alcoholic beverages or beer shall inspect a valid, government-issued photo identification card that is acceptable to the licensee and that contains the photograph and birthdate of the purchaser confirming that the purchaser is at least twenty-one (21) years of age.

(e) Sales of alcoholic beverages and beer made under this section must be in accordance with the hours for sale of alcoholic beverages under § 57-4-203(d) or beer under § 57-5-301(b), as applicable.

(f) A licensee shall collect the liquor by the drink tax imposed on alcoholic beverages under § 57-4-301(c)(1) for all sales of alcoholic beverages made under this section in accordance with § 57-4-301(c)(2). A licensee shall not collect such tax on the sale of beer.

(g) As used in this section, "licensee" means a restaurant, limited service restaurant, or wine-only restaurant licensed under this chapter to sell alcoholic beverages and beer by the drink for consumption on the premises.

SECTION 2. Tennessee Code Annotated, Section 57-4-203(e), is amended by adding the following new subdivision:

(5) Notwithstanding this subsection (e) to the contrary, in addition to any manner in which a licensee may sell alcoholic beverages or beer under this subsection (e), a restaurant, limited service restaurant, or wine-only restaurant licensed under this chapter may sell alcoholic beverages and beer in accordance with SECTION 1 of this act.

SECTION 3. Tennessee Code Annotated, Section 57-4-203(f), is amended by deleting the period at the end of the sentence and substituting instead "other than the sale of alcoholic beverages and beer in accordance with SECTION 1 of this act."

SECTION 4. This act is only effective in jurisdictions that have passed referenda authorizing the retail sale of liquor and the sale of liquor by the drink under Tennessee Code Annotated, Title 57.

SECTION 5. This act takes effect July 1, 2021, the public welfare requiring it. The provisions contained in this act terminate on July 1, 2023, and the law in effect prior to this act's effective date must be restored.