

PUBLIC ACTS, 1999

CHAPTER NO. 314

HOUSE BILL NO. 1594

By Representatives West, Garrett

Substituted for: Senate Bill No. 1840

By Senator Rochelle

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to alcoholic beverages at urban park centers in counties with a metropolitan form of government.

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

SECTION 1. Tennessee Code Annotated, Section 57-4-102(22), is amended by adding the following new subdivision thereto:

() (i) "Urban park center" also includes an outdoor fixed structure amphitheater utilized as a performance venue, containing fixed seating for at least five thousand one hundred (5,100) persons. Such facility shall be secured by adequate perimeter fencing.

(ii) The provisions of this subdivision shall apply in any county with a metropolitan form of government with a population of not less than five hundred thousand (500,000) according to the 1990 Federal Census or any subsequent Federal Census.

SECTION 2. Tennessee Code Annotated Section 57-4-102(22) is amended by adding a new subdivision, as follows:

(C) "Urban park center" shall also mean a facility that possesses the following characteristics:

(i) Such facility consists of at least two (2) theater spaces in which live theater, concerts, and films are presented;

(ii) Such facility contains at least ten thousand (10,000) square feet;

(iii) Such facility contains permanent fixed seating for at least three hundred forty-nine (349) persons;

(iv) Such facility contains one (1) performance space constructed prior to 1930 that contains a stage with a fly tower for stage rigging with a height of at least thirty (30) feet;

(v) Such facility is operated by a not-for-profit corporation that qualifies as tax exempt under Section 501(c)(3) of the Internal Revenue Code, (26 U.S.C. §501(c)(3)), and such facility is not a religious organization or a secondary or elementary school;

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(vi) A major street is located not more than one hundred (100) feet from the nearest exterior wall of such facility; and

(vii) Such facility is located within the jurisdictional limits of a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000) according to the 1990 Federal Census or any subsequent Federal Census;

SECTION 3. Tennessee Code Annotated, Section 57-4-101, is amended by adding the following as a new subsection:

() It is lawful to serve wine and other alcoholic beverages as defined in Tennessee Code Annotated, Section 57-3-101, and beer as defined in Tennessee Code Annotated, Section 57-6-102, to be consumed on the premises of any club as defined in Section 57-4-102(4)(D), to the guests of the club, subject to the further provisions of this chapter other than Section 57-4-103, provided that such club is located in a county having a population of not less than one hundred three thousand one hundred (103,100) nor more than one hundred three thousand four hundred (103,400) according to the 1990 Federal Census or any subsequent Federal Census and in a municipality which lies within two (2) contiguous counties.

SECTION 4. Tennessee Code Annotated, Section 57-4-102(4), is amended by adding the following new item (D):

(D) "Club" also means a clubhouse owned and operated by a for-profit corporation, which is open to the public but has at least one hundred fifty (150) private members and seats at least one hundred (100) persons, that is a planned part of a residential development consisting of no less than two hundred fifty (250) acres and at least one hundred ninety (190) residential units and such development contains an eighteen-hole golf course under separate ownership; provided that such club is located in a county having a population of not less than one hundred three thousand one hundred (103,100) nor more than one hundred three thousand four hundred (103,400) according to the 1990 Federal Census or any subsequent Federal Census and in a municipality which lies within two (2) contiguous counties.

SECTION 5. This act shall take effect upon becoming a law, the public welfare requiring it.

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PASSED: May 17, 1999

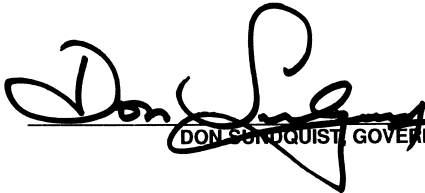


JIMMY NAIFEH, SPEAKER
HOUSE OF REPRESENTATIVES



JOHN S. WILDER
SPEAKER OF THE SENATE

APPROVED this 26th day of May 1999



DON SUNDQUIST, GOVERNOR