

1 AN ACT

2 relating to civil liability for provision of alcohol to a minor.

3 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF TEXAS:

4 SECTION 1. Section 2.02, Alcoholic Beverage Code, is
5 amended by adding Subsection (c) to read as follows:

6 (c) An adult 21 years of age or older is liable for damages
7 proximately caused by the intoxication of a minor under the age of
8 18 if:

9 (1) the adult is not:

10 (A) the minor's parent, guardian, or spouse; or

11 (B) an adult in whose custody the minor has been
12 committed by a court; and

13 (2) the adult knowingly:

14 (A) served or provided to the minor any of the
15 alcoholic beverages that contributed to the minor's intoxication;
16 or

17 (B) allowed the minor to be served or provided
18 any of the alcoholic beverages that contributed to the minor's
19 intoxication on the premises owned or leased by the adult.

20 SECTION 2. The change in law made by this Act applies only
21 to a cause of action that accrues on or after the effective date of
22 this Act. A cause of action that accrues before the effective date
23 of this Act is governed by the law in effect immediately before that
24 date, and that law is continued in effect for that purpose.

1 SECTION 3. This Act takes effect September 1, 2005.

David Swihurst

President of the Senate

Jim Caddell

Speaker of the House

I certify that H.B. No. 2868 was passed by the House on May 10, 2005, by a non-record vote.

Robert Hancy
Chief Clerk of the House

I certify that H.B. No. 2868 was passed by the Senate on May 24, 2005, by the following vote: Yeas 31, Nays 0.

Patricia Spaw
Secretary of the Senate

APPROVED: 17 JUNE 05

Date

Rick Perry
Governor

FILED IN THE OFFICE OF THE
SECRETARY OF STATE
11:20 AM O'CLOCK

Roger Williams
Secretary of State