

## CHAPTER NO. 857

## HOUSE BILL NO. 2512

By Representative McKee

Substituted for: Senate Bill No. 2726

By Senator Clabough

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to consumption of alcoholic beverages in certain premier type tourist resorts.

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

SECTION 1. Tennessee Code Annotated, Section 57-4-102(24), is amended by adding the following language as new subdivisions as follows and by redesignating present subdivision (O) as subdivision (S):

(O) A nine-hundred-sixty-acre peninsula gated community located on a lake with ten (10) miles of shoreline, and which contains all of the following characteristics. Such facility:

(i) Has an eighteen-hole golf course and tennis courts;

(ii) Has a club house, restaurant, lounge, fitness center, and swimming pool;

(iii) Maintains a community garden and community and neighborhood docks and boat ramp;

(iv) Has an equestrian facility with extensive riding trails;

(v) Such facility does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(vi) Is located in two counties one county having a population of not less than thirty-eight thousand nine hundred (38,900) nor more than thirty-nine thousand (39,000) and the other county having a population of not less than thirty-nine thousand fifty (39,050), nor more than thirty-nine thousand one hundred fifty (39,150), both according to the 2000 federal census or any subsequent federal census.

(P) A facility which contains all the following characteristics. Such facility:

(i) Has resort lodge condominiums, homes and vacation cottages;

(ii) Has an eighteen hole golf course and tennis courts with a pro shop;

(iii) Has a swimming pool;

(iv) Has rock climbing, hiking and biking trails;

(v) Has a full service spa;

(vi) Has banquet and dining services and a business service center;

(vii) Such facility does not discriminate against any patron on the basis of age, gender, race, religion or national origin; and

(viii) Is located in a county having a population of not less than thirty-nine thousand eight hundred (39,800) nor more than thirty nine thousand eight hundred seventy-five (39,875), according to the 2000 federal census or any subsequent federal census.

(Q) It is lawful for any establishment located in a premier type tourist resort as defined in § 67-6-103(a)(3)(B)(iii) which is licensed to serve beer to also serve wine to be consumed on the premises, subject to the further provisions of this chapter other than § 57-4-103.

(R) It is lawful for any establishment located in a municipality:

(i) which has an approved Tourist Development Zone as set forth in Tennessee Code Annotated, Title 7, Chapter 88, Part 1;

(ii) has a AA minor league baseball team; and

(iii) is located in a county with an amusement park, a ski resort, and a National Park,

which is licensed to serve beer to also serve wine to be consumed on the premises, subject to the further provisions of this chapter other than § 57-4-103.

SECTION 2. Tennessee Code Annotated, Section 57-4-101(c)(1), is amended by adding the following language after the language "people at tables":

“, except in central business improvement districts located in counties having a population of eight hundred thousand (800,000) or more according to the 2000 federal census or any subsequent federal census where such restaurants shall have a seating capacity of at least twenty-four (24) people”.

SECTION 3. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

SECTION 4. This act shall take effect upon becoming a law, the public welfare requiring it.

PASSED: May 21, 2004

  
JIMMY RAIFEH, SPEAKER  
HOUSE OF REPRESENTATIVES

  
JOHN S. WILDER  
SPEAKER OF THE SENATE

APPROVED this 8<sup>th</sup> day of June 2004

  
PHIL BREDESEN, GOVERNOR