

HOUSE BILL 2442

By Ramsey

AN ACT to amend Tennessee Code Annotated, Title 4 and Title 57, relative to alcoholic beverages.

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

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

(a) Notwithstanding § 57-4-201(a)(3), an applicant for a catering license or the renewal of a catering license under this chapter may choose the expiration date of the license as long as the expiration date chosen is more than twelve (12) months but less than twenty-four (24) months from the date the license is issued or renewed and is the same date as an expiration date of another license issued under this chapter that is held by the applicant. The license fee for a license issued for more than twelve (12) months but less than twenty-four (24) months must be prorated according to the length of the license.

(b) A licensed caterer shall provide notice to the commission at least two (2) business day before an event at which the licensed caterer has contracted to provide and sell alcoholic beverages on a form developed by the commission. The notification must be transmitted electronically, and the commission shall confirm receipt of the notification.

(c) The department of revenue shall not use the event notification form submitted by a licensed caterer for purposes of an audit of the caterer.

(d) A wholesaler may deliver alcoholic beverages directly to the site where a licensed caterer is catering an event.

(e) A new server hired by a licensed caterer may work for sixty-one (61) days after being hired without a server permit. A server who has worked for sixty-one (61) days must have a server permit.

(f)

(1) A licensed caterer may cater to a site that is a conveyance if the conveyance:

(A) Has enough interior space and is equipped for a bartender holding a valid server permit to serve drinks and food;

(B) Has space available to store alcoholic beverages in a manner that restricts access to alcoholic beverages by persons other than the bartender; and

(C) Maintains a fixed route.

(2) A caterer licensee catering to a conveyance may cater to the conveyance seven (7) days a week.

(3) For purposes of notification under subsection (b), a licensed caterer is only required to provide notification prior to the commencement of performance of a contract for catering services to a conveyance. The licensed caterer shall provide a new notification each time the contract is renewed. The notification must include a detailed description of the fixed route the conveyance will take during the events.

SECTION 2. Tennessee Code Annotated, Section 57-4-201, is amended by adding the following as new subsections:

() Notwithstanding subdivision (a)(3), an applicant for a license or the renewal of a license under this chapter who possesses more than one (1) licenses issued under this chapter may choose the expiration date of the license as long as the expiration date chosen is more than twelve (12) months but less than twenty-four (24) months from the date the license is issued or renewed and is the same date as the expiration date of

another license issued under this chapter that is held by the applicant. The license fee for a license issued for more than twelve (12) months but less than twenty-four (24) months must be prorated according to the length of the license.

()

(1) The commission shall not conduct undercover investigations of an entity licensed under this chapter more than twice in a single calendar year.

(2) Subdivision () (1) does not apply if the commission receives a complaint about a particular licensee or if the commission determines that conducting an additional undercover investigation is in the best interest of public safety.

() Any documentation required by this chapter to be maintained by a licensee may be stored electronically, and the commission shall accept the electronic documentation for purposes of an inspection of the licensee or verification of compliance with this chapter.

SECTION 3. Tennessee Code Annotated, Section 57-4-102, is amended by adding the following as a new subdivision:

() "Minor violation" means a failure to:

- (A) Maintain the establishment in proper sanitary conditions;
- (B) Register all management personnel with the commission;
- (C) Give adequate notice to the commission of catered events;
- (D) Maintain copies of server permits on licensed premises; or
- (E) Properly display any required permits or licenses;

SECTION 4. Tennessee Code Annotated, Section 57-4-201, is amended by adding the following as a new subsection:

() Notwithstanding § 57-1-201(b)(1)(B), multiple minor violations discovered during a single investigation of the same type by an entity licensed under this chapter must be treated as a single offense.

SECTION 5. Tennessee Code Annotated, Section 57-4-201(d), is amended by adding the following as a new subdivision (7) and renumbering the subsequent subdivision accordingly:

(7) The name of an individual or individuals to whom notification of violations must be given;

SECTION 6. Tennessee Code Annotated, Section 57-4-203, is amended by adding the following as new subsections:

(p) The commission shall provide a written notification of any violation to the individual identified in Section 5. The written notification must be sent by certified mail or some other form of communication that provides confirmation of receipt of the notification by the individual identified in Section 5.

(q) The commission shall allow a licensee a period of ten (10) business days to cure a minor violation prior to imposing a fine for the minor violation. The commission shall not impose a fine if the licensee cures the minor violation.

SECTION 7. Tennessee Code Annotated, Section 57-4-203(h), is amended by deleting the first sentence of the subsection and substituting instead the following:

An entity holding a license issued pursuant to § 57-4-101 shall not employ any person in the serving of beer, wine, or other alcoholic beverages, or to verify the age of persons who enter the establishment, who does not possess a server permit from the commission.

SECTION 8. Tennessee Code Annotated, Section 57-3-704, is amended by adding the following as a new subsection (b) and redesignating the existing subsections accordingly:

(b) An applicant for a server permit who is POST-certified is exempt from the training requirements of subdivision (a)(1).

SECTION 9. Tennessee Code Annotated, Section 57-3-703, is amended by deleting the language "§ 57-3-704(b)" wherever it appears and substituting instead the language "§ 57-3-704(c)".

SECTION 10. This act shall take effect upon becoming a law, the public welfare requiring it.