

SENATE BILL 733

By Tate

AN ACT to amend Tennessee Code Annotated, Title 39;
Title 40 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 language as a new, appropriately designated section:

57-4-109.

(a) It is unlawful for any person to sell any energy drink at a business with a license or permit to serve or sell liquor by the drink. Any person who violates this section commits a Class A misdemeanor, punishable only by fine and suspension of the person's license or permit to serve or sell liquor by the drink for a certain time as determined appropriate by the entity that issued the license or permit.

(b) For purposes of this section, "energy drink":

(1) Means any beverage:

(A) That contains methylxanthines; and

(B) Whose main purpose, as advertised, is to boost a person's energy; and

(2) Includes, but is not limited to, 180, 5-Hour Energy, AMP Energy, Bacchus-F, Battery, Battery energy shot, Bawls, Blue Charge, Blue Energy, Boo Koo, Burn, Cintron Energy Enhancer, Coca-Cola Blak, Cocaine, Crunk Energy Drink, Emerge Stimulation Drink, Enviga, Full Throttle, Go Fast, Hustler, Irn-Bru 32, Jolt Cola, King 888, Kore, Lucozade Alert, Lucozade Sport with Caffeine Boost, MAD DOG Energy Lemonade, Monster, Mother, Mountain Dew MDX, NOS, Pepsi Max, Powerking, Pure!, Red Bull, Red Eye, Red Rooster, Red

Thunder, Redline, Relentless, RELOAD, Rip It, Rockstar energy drink original, Semtex, Shark Stimulation, SoBe Adrenaline Rush, Sparks, Spike Shooter, Tab Energy, Urge Intense, Vault, Glaceau VitaminEnergy, Wired Energy Drink, Wired Sugar Free, XS Energy Drink, and Zipfizz.

SECTION 2. This act shall take effect July 1, 2011, the public welfare requiring it.