

HOUSE BILL 254

By Freeman

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to 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(27), is amended by adding the following new subdivision:

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(i) A commercially operated facility that:

(a) Contains a hotel with at least one hundred (100) rooms, a music venue with more than five hundred (500) seats, at least two (2) full-service restaurants, a spa, music-writing suites, a private club, extended stay suites, more than five (5) acres of private green space, and private homes and condominiums, all in a gated community;

(b) Has at least two (2) or more rooms that are regularly kept, used, and maintained as a place where meals are regularly served, each with adequate and sanitary kitchen facilities and seating at tables for at least seventy-five (75) persons;

(c) Is located within two hundred feet (200') from a federal interstate highway and within five hundred feet (500') from a state route named after a United States president;

(d) Is located on property that is not less than eight hundred feet (800') and not more than one thousand fifty feet (1,050') above sea level;

(e) Was originally constructed beginning in 2019;

(f) Is located within one thousand five hundred feet (1,500') from a commercial real estate development anchored by a general merchandise store containing at least one hundred thousand square feet (100,000 sq. ft.) of retail space;

(g) Is located within one thousand five hundred feet (1,500') from an interstate railroad;

(h) Is located in a county with a metropolitan form of government having a population of not less than five hundred thousand (500,000), according to the 2010 or any subsequent federal census;

(i) Is located within one thousand feet (1,000') from the boundary of a municipality having a population of not less than thirty-seven thousand (37,000) and not more than thirty-seven thousand one hundred (37,100), according to the 2010 or any subsequent federal census; and

(j) Does not discriminate against any patron on the basis of age, gender, race, religion, or national origin.

(ii) The premises of a facility licensed under this subdivision (27)() means any or all of the property that constitutes the facility, including parks, green spaces, roads, sidewalks, and paths. A licensee shall designate the premises to be licensed by the commission by filing a drawing of the premises, which may be amended by the licensee filing a new drawing.

(iii) A facility licensed under this subdivision (27)() may obtain a separate retail license issued under § 57-3-204 and operate a retail package store under the license for purposes of selling alcoholic beverages for off-premises consumption, if the retail licensee is located within the hotel or at another location within the facility that is approved by the commission. The retail licensee shall separately order, stock, and sell alcoholic beverages sold under the retail license. Notwithstanding § 57-3-404(e)(4), the retail licensee may sell

general merchandise. Notwithstanding any law or local ordinance or resolution to the contrary, a retail licensee may be located at any location on the premises. Except as provided in this subdivision (27)(), a retail package store licensed under this subdivision (27)()(iii) is not required to be operated as a separate and distinct business in accordance with § 57-3-223. The residency and ownership requirements of § 57-3-204(b)(2)(A) and (b)(3)(B) do not apply to a retail license issued under this subdivision (27)()(iii). Notwithstanding the restrictions on the issuance of new retail licenses under § 57-3-204(a), the commission may issue a new retail license to the facility. A retail package store licensed under this subdivision (27)()(iii) may deliver alcoholic beverages to guests who are at least twenty-one (21) years of age on the premises of the facility without obtaining a delivery service license or delivery employee license under § 57-3-224 or § 57-3-225.

(iv) The facility may dispense sealed alcoholic beverages and beer to guests who are at least twenty-one (21) years of age through locked, in-room units located in any structure within the premises. Distilled spirits so dispensed must be in bottles not exceeding one thousand milliliters (1,000 ml). The facility shall not provide a key to an in-room unit to a person who is not at least twenty-one (21) years of age;

SECTION 2. This act shall take effect upon becoming a law, the public welfare requiring it.