

**PUBLIC CHAPTER NO. 632**

**HOUSE BILL NO. 3185**

**By Representative Mike Turner**

Substituted for: Senate Bill No. 3224

By Senator Harper

AN ACT to amend Tennessee Code Annotated, Section 57-4-102, relative to the definition of an historic performing arts center.

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

SECTION 1. Tennessee Code Annotated, Section 57-4-102(18), is amended by designating the current language as subdivision (A) and redesignating subdivisions (A), (B), (C) and (D) as subdivisions (1), (2), (3) and (4), accordingly, and by adding the following language as a new subdivision (B):

(B) "Historic performing arts center" also means a facility possessing each of the following characteristics:

(1) The center is located in a restored theater or music hall that is at least fifty (50) years old and listed on the national register of historic places;

(2) The center is operated by a for-profit organization, or a not-for-profit organization that is exempt from taxation under § 501(c) of the Internal Revenue Code of 1954 (26 U.S.C. § 501(c)), as amended, and where no member, officer, agent or employee of the not-for-profit organization receives any incentive compensation relating directly to the sale of alcoholic beverages beyond the amount of such salary and other compensation as may be fixed by the not-for-profit organization's governing body for the reasonable performance of such member's, officer's, agent's or employee's assigned duties. A portion of the profits from the sale of alcoholic beverages at the center shall be used for the operation, renovation, refurbishing or general maintenance of the center. Alcoholic beverages shall only be sold at the center before, during or after performances. Alcoholic beverages may be consumed inside the center at locations designated by its governing body;

(3) The center provides facilities for programs of cultural, civic, and educational interest, including, but not limited to, stage plays, musical concerts, films, dance performances, receptions, exhibitions, seminars or meetings; and

(4) The center is located in any county having a population of in excess of five hundred thousand (500,000) which has a metropolitan form of government.

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

**PASSED: March 3, 2010**



KENT WILLIAMS, SPEAKER  
HOUSE OF REPRESENTATIVES



RON RAMSEY  
SPEAKER OF THE SENATE

**APPROVED this 10th day of March 2010**



PHIL BREDESEN, GOVERNOR