

Sec. 49.01. DEFINITIONS. In this chapter:

(1) "Alcohol concentration" means the number of grams of alcohol per:

- (A) 210 liters of breath;
- (B) 100 milliliters of blood; or
- (C) 67 milliliters of urine.

(2) "Intoxicated" means:

(A) not having the normal use of mental or physical faculties by reason of the introduction of alcohol, a controlled substance, a drug, a dangerous drug, a combination of two or more of those substances, or any other substance into the body; or

(B) having an alcohol concentration of 0.08 or more.

(3) "Motor vehicle" has the meaning assigned by Section [32.34\(a\)](#).

(4) "Watercraft" means a vessel, one or more water skis, an aquaplane, or another device used for transporting or carrying a person on water, other than a device propelled only by the current of water.

(5) "Amusement ride" has the meaning assigned by Section [2151.002](#), Occupations Code.

(6) "Mobile amusement ride" has the meaning assigned by Section [2151.002](#), Occupations Code.

Added by Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994. Amended by Acts 1999, 76th Leg., ch. 234, Sec. 1, eff. Sept. 1, 1999; Acts 1999, 76th Leg., ch. 1364, Sec. 8, eff. Jan. 1, 2000; Acts 2001, 77th Leg., ch. 1420, Sec. 14.707, eff. Sept. 1, 2001.

Sec. 49.02. PUBLIC INTOXICATION. (a) A person commits an offense if the person appears in a public place while intoxicated to the degree that the person may endanger the person or another.

(a-1) For the purposes of this section, a premises licensed or permitted under the Alcoholic Beverage Code is a public place.

(b) It is a defense to prosecution under this section that the alcohol or other substance was administered for therapeutic purposes and as a part of the person's professional medical treatment by a licensed physician.

(c) Except as provided by Subsection (e), an offense under this section is a Class C misdemeanor.

(d) An offense under this section is not a lesser included offense under Section [49.04](#).

(e) An offense under this section committed by a person younger than 21 years of age is punishable in the same manner as if the minor committed an offense to which Section [106.071](#), Alcoholic Beverage Code, applies.

Added by Acts 1993, 73rd Leg., ch. 900, Sec. 1.01, eff. Sept. 1, 1994. Amended by Acts 1997, 75th Leg., ch. 1013, Sec. 12, eff. Sept. 1, 1997.

Amended by:

Acts 2007, 80th Leg., R.S., Ch. 68 (S.B. [904](#)), Sec. 25, eff. September 1, 2007.

Elements:

_____ On or about January 1, 2024

_____ Travis County, Texas

_____ ABC Defendant

_____ Appeared in a public place

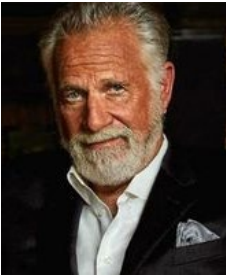



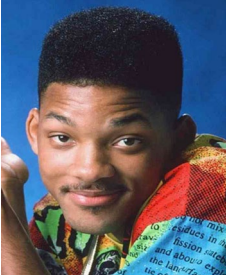



_____ While Intoxicated

- Didn't have normal use of mental or physical faculties by reason of introduction of alcohol, CS, drug, dangerous drug, or a combination, or any other substance
- BAC 0.08

_____ Danger to himself/herself or another

Jury Chart

State of Texas vs. Jeff Grajek

<p>1. Jonathan Goldsmith</p> 	<p>2. Steven Quincy Urkel</p> 	<p>3. Martha Stewart</p> 	<p>4. Dwight Schrute</p> 	<p>5. Michael Jordan</p> 
<p>6. Will Smith</p> 	<p>7. Jim Carrey</p> 	<p>8. Thea Whalen</p> 	<p>9. Rebecca Glisan</p> 	<p>10. Amber Myers</p> 

JUROR INSTRUCTIONS

1. Do not mingle with or talk to the attorneys, the witnesses, the parties, or any other person who might be connected with or interested in this case, except for casual greetings. They must follow these same instructions.

2. Do not discuss this case among yourselves until after you have heard all of the evidence, the court's charge, the attorneys' arguments, and until I have sent you to the jury room to consider your verdict.

3. Do not make any investigation about the facts of this case by phone calls or internet searches. This is improper. All evidence must be presented in open court. This means you should not call friends, search for newspaper articles, look at google maps, or try to read the law online. If you know or learn anything about this case, except from the evidence admitted during the course of this trial, you should tell the Court about it at once. You have just taken an oath that you will render a verdict on the evidence submitted to you under the rulings in this Court.

4. Do not tell other jurors your own personal experiences, other persons' experiences, or relate any special information. A juror may have special knowledge of business, technical, or professional matters; may have expert knowledge or opinions; or may know what happened in this or some other case. To tell the other jurors any of this information is a violation of these instructions.

You may keep these instructions and review them as the case proceeds. A violation of these instructions should be reported to the Court.