

1 HB20
2 133886-3
3 By Representatives Buskey and Collins
4 RFD: Economic Development and Tourism
5 First Read: 07-FEB-12
6 PFD: 12/01/2011

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25

ENROLLED, An Act,

To create and establish an entertainment district designation for retail alcoholic beverage licenses available in any Class 1, Class 2, Class 3, Class 4, or Class 5 municipality and municipalities with an incorporated arts council, main street program, or downtown development entity to be issued by the Alabama Alcoholic Beverage Control Board permitting and regulating the sale and consumption of alcoholic beverages within entertainment districts established by such municipalities; and to authorize the governing body of the municipality to establish entertainment districts with restrictions as to number and size.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. The provisions of this act shall only apply to Class 1, Class 2, Class 3, Class 4, and Class 5 municipalities and municipalities with an incorporated arts council, main street program, or downtown development entity.

Section 2. (a) Upon compliance of the applicant with the provisions of Chapter 3A of Title 28 of the Code of Alabama 1975, and the regulations made thereunder which are not in conflict with the provisions of this act, the Alabama Alcoholic Beverage Control Board may issue an entertainment district designation for any retail license authorized in Chapter 3A which allows the licensee to sell alcoholic

1 beverages for consumption on the licensed premises and which
2 licensed premises is located in an entertainment district
3 established as provided in Section 3. A licensee who receives
4 an entertainment district designation for an on-premises
5 retail license shall comply with all laws, rules, and
6 regulations which govern its license type, except that the
7 patrons, guests, or members of that licensee may exit that
8 licensed premises with open containers of alcoholic beverages
9 and consume alcoholic beverages anywhere within the confines
10 of the entertainment district, which shall be permitted, but
11 may not enter another licensed premises with open containers
12 or closed containers of alcoholic beverages acquired
13 elsewhere.

14 (b) The permission granted by subsection (a)
15 permitting the consumption of alcoholic beverages anywhere
16 within the confines of the entertainment district shall not
17 extend the confines of the licensed premises.

18 Section 3. The governing body of ~~any~~ a Class 1
19 municipality may establish up to five entertainment districts
20 within its corporate limits, each of which must have not fewer
21 than four licensees holding a retail liquor license in that
22 area, and each district may not exceed one-half mile by
23 one-half mile in area, but may be irregularly shaped. The
24 governing body of any, Class 2, Class 3, Class 4, or Class 5
25 municipality or a municipality with an incorporated arts

1 council, main street program, or downtown development entity
2 may establish not more than two entertainment districts within
3 its corporate limits, each of which must have not fewer than
4 four licensees holding a retail liquor license in that area,
5 and each district may not exceed one-half mile by one-half
6 mile in area, but may be irregularly shaped.

7 Section 4. All laws or parts of laws which conflict
8 with this act are repealed. All general, local, and special
9 laws or parts of such laws insofar as they designate or
10 restrict the boundaries, size, or area of such entertainment
11 districts are hereby repealed.

12 Section 5. This act shall become effective
13 immediately following its passage and approval by the
14 Governor, or its otherwise becoming law.

