

1 HB274
2 173044-2
3 By Representatives Johnson (R) and Tuggle (N & P)
4 RFD: Local Legislation
5 First Read: 23-FEB-16

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9 A BILL
10 TO BE ENTITLED
11 AN ACT
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13 Relating to the Town of Kellyton in Coosa County; to
14 authorize an election to determine whether alcoholic beverages
15 may be sold or dispensed on Sunday by properly licensed retail
16 licensees serving the general public within the town.

17 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

18 Section 1. This act shall apply only to the Town of
19 Kellyton in Coosa County.

20 Section 2. (a) The voters of the Town of Kellyton
21 may authorize the sale of alcoholic beverages within the
22 municipality on Sunday by an election pursuant to this act, in
23 the following manner:

24 The governing body of the Town of Kellyton, by
25 resolution, may call an election for the municipality to
26 determine the sentiment of the voters of the municipality
27 residing within the corporate limits, as to whether or not

1 alcoholic beverages can be legally sold or distributed on
2 Sunday within the municipality.

3 (b) On the ballot to be used for such election, the
4 question shall be in the following form: "Do you favor the
5 legal sale and distribution of alcoholic beverages within this
6 municipality on Sunday after 1:00 P.M.? Yes ___ No ___."

7 (c) The election shall be held and the officers
8 appointed to hold the election in the manner provided by law
9 for holding other municipal elections, and the returns thereof
10 tabulated and results certified as provided by law for
11 municipal elections. Any Sunday sales election shall be held
12 as provided in this act as a special election or at any
13 subsequent municipal election following the date of the
14 resolution.

15 (d) Notice of the election shall be given by the
16 governing body of the municipality by publication or by
17 posting the notice at the town hall apprising the voters of
18 the municipality, at least three weeks before the date of the
19 election, that an election shall be held to determine whether
20 alcoholic beverages may be sold in the municipality on Sunday.
21 The cost of the election shall be paid out of the general fund
22 of the municipality.

23 (e) Only qualified voters of the municipality may
24 vote in the election. If a majority of the voters voting in
25 the municipal election vote "Yes," alcoholic beverages can be
26 legally sold or dispensed within the corporate limits of the
27 municipality on Sunday by licensees of the Alcoholic Beverage

1 Control Board and the Town of Kellyton serving the general
2 public in accordance with applicable laws and regulations
3 after 1:00 P.M. Except as authorized by law or during such
4 hours, it shall be unlawful for any licensed vendor to sell,
5 dispense, or permit the consumption of alcoholic beverages on
6 Sunday. The municipality may enact, by ordinance, any policies
7 it deems appropriate to regulate any aspect of Sunday
8 alcoholic beverage sales.

9 Section 3. The provisions of this act are cumulative
10 and supplemental to the present power and authority of the
11 Town of Kellyton and is not intended to, nor shall it be
12 interpreted so as to, repeal any existing power or authority
13 of the Town of Kellyton now permitted under the general laws
14 of the state, or under any local or special act of the
15 Legislature.

16 Section 4. This act shall become effective
17 immediately following its passage and approval by the
18 Governor, or its otherwise becoming law.