

1 HB325  
2 135122-2  
3 By Representatives Collins, Moore (B), Sessions, Ison and  
4 Nordgren  
5 RFD: Economic Development and Tourism  
6 First Read: 14-FEB-12

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ENROLLED, An Act,

To add Section 28-3A-20.1 to the Code of Alabama 1975, to authorize a bottle of wine that has been purchased and opened on the premises of an Alcoholic Beverage Control Board licensee to be removed from the premises by the purchaser provided the bottle of wine is resealed.

BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

Section 1. Section 28-3A-20.1 is added to the Code of Alabama 1975, to read as follows:

§28-3A-20.1.

Notwithstanding any provision of this chapter to the contrary, a person holding a license to sell alcoholic beverages for consumption on the licensed premises may permit a customer to remove one unsealed bottle of wine for consumption off the premises if the customer has purchased and consumed a portion of the bottle of wine on the licensed premises. The licensee or the licensee's agent shall either:

- (1) recork the bottle of wine with the original or similar type cork that is reinserted in the bottle and the cork can only be removed by a corkscrew or similar device; or (2)
- securely reseal the bottle in a bag designed so that it is visibly apparent that the resealed bottle of wine has not been tampered with and shall provide a dated receipt for the resealed bottle of wine to the customer. A wine bottle

1 recorked or resealed pursuant to the requirements of this  
2 section is otherwise subject to the requirements of Section  
3 32-5A-330, but a bottle of wine complying with this section  
4 shall not be considered open.

5 Section 2. All laws or parts of laws which conflict  
6 with this act are repealed.

7 Section 3. This act shall become effective  
8 immediately following its passage and approval by the  
9 Governor, or its otherwise becoming law.

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Speaker of the House of Representatives

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President and Presiding Officer of the Senate

House of Representatives

I hereby certify that the within Act originated in  
and was passed by the House 17-APR-12.

Greg Pappas  
Clerk

Senate

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02-MAY-12

Passed