

1 HB38  
2 213294-1  
3 By Representative Easterbrook (Constitutional Amendment)  
4 RFD: Local Legislation  
5 First Read: 11-JAN-22

SYNOPSIS: Under current law, for the purposes of the laws of this state relating to alcoholic beverages, Washington County is a dry county.

This bill would propose a local amendment to the Constitution of Alabama of 1901, relating to Washington County, that would change the classification of Washington County from dry to wet. The sale and possession of alcoholic beverages would be legal pursuant to state law.

The amendment would allow for subsequent elections to change the classification of the county from wet to dry or from dry to wet as provided by general law.

The amendment would also authorize the county to levy additional taxes on the sale of alcoholic beverages with the proceeds to be deposited in the county general fund.

A BILL  
TO BE ENTITLED

1 AN ACT

2  
3 To propose an amendment to the Constitution of  
4 Alabama of 1901, relating to Washington County, to provide  
5 that Washington County would be a wet county for the purposes  
6 of the laws of this state relating to alcoholic beverages  
7 subject to subsequent elections to change the classification;  
8 and to authorize the county commission to levy additional  
9 taxes on alcoholic beverages to be deposited in the county  
10 general fund.

11 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

12 Section 1. The following amendment to the  
13 Constitution of Alabama of 1901, is proposed and shall become  
14 valid as a part of the Constitution when all requirements of  
15 this act are fulfilled:

16 PROPOSED AMENDMENT

17 (a) Effective on the first day of the month after  
18 the ratification of this amendment, based on the favorable  
19 vote to ratify this amendment, Washington County shall be a  
20 wet county as otherwise provided by the laws of this state in  
21 Title 28, Code of Alabama 1975, relating to alcoholic  
22 beverages. Thereafter, Washington County may change its  
23 classification from wet to dry or from dry to wet as provided  
24 in Section 28-2-1, Code of Alabama 1975, provided that any  
25 first election would be required to be not less than two years  
26 after the date Washington County becomes wet as provided by  
27 this amendment.

1 (b) In addition to any taxes authorized by law, the  
2 Washington County Commission may levy additional taxes,  
3 including license taxes, on the sale of alcoholic beverages in  
4 the county. Any proceeds from the taxes shall be deposited in  
5 the county general fund.

6 Section 2. An election upon the proposed amendment  
7 shall be held on the date of the general election in 2022 in  
8 accordance with Section 284.01 of the Constitution of Alabama  
9 of 1901, now appearing as Section 284.01 of the Official  
10 Recompilation of the Constitution of Alabama of 1901, as  
11 amended, and the election laws of this state.

12 Section 3. The appropriate election official shall  
13 assign a ballot number for the proposed constitutional  
14 amendment on the election ballot and shall set forth the  
15 following description of the substance or subject matter of  
16 the proposed constitutional amendment:

17 "Relating to Washington County, proposing an  
18 amendment to the Constitution of Alabama of 1901, to provide  
19 that Washington County would be a wet county for the purposes  
20 of the laws of this state relating to alcoholic beverages  
21 subject to subsequent elections to change the classification;  
22 and to authorize the county commission to levy additional  
23 taxes on alcoholic beverages to be deposited in the county  
24 general fund.

25 "Proposed by Act \_\_\_\_\_"

26 This description shall be followed by the following  
27 language:

1

"Yes ( ) No ( )."