

1 HB514
2 158782-1
3 By Representatives Williams (J) and Drake
4 RFD: Economic Development and Tourism
5 First Read: 20-FEB-14

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8 SYNOPSIS: Current law provides that the governing body
9 of a Class 1, Class 2, Class 3, Class 4, or Class 5
10 municipality may establish entertainment districts
11 within its corporate limits.

12 This bill would allow certain municipalities
13 in counties where a Class 1 municipality is located
14 to establish an entertainment district within its
15 corporate limits.

16
17 A BILL
18 TO BE ENTITLED
19 AN ACT
20

21 To amend Section 28-3A-17.1, Code of Alabama 1975,
22 as amended by Act 2013-382, 2013 Regular Session, to authorize
23 the governing body of certain municipalities in counties where
24 a Class 1 municipality is located to establish an
25 entertainment district within its corporate limits.

26 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

1 Section 1. Section 28-3A-17.1, Code of Alabama 1975,
2 is amended to read as follows:

3 "§28-3A-17.1.

4 "(a) The provisions of this section shall ~~only~~ apply
5 to Class 1, Class 2, Class 3, Class 4, and Class 5
6 municipalities and, municipalities with an incorporated arts
7 council, main street program, or downtown development entity,
8 and certain other municipalities.

9 "(b) Upon compliance of the applicant with the
10 provisions of this chapter, and the ~~regulations~~ rules made
11 thereunder which are not in conflict with the provisions of
12 this section, the Alabama Alcoholic Beverage Control Board may
13 issue an entertainment district designation for any
14 on-premises alcoholic beverages ~~retail~~ license authorized in
15 this chapter which allows the licensee to sell alcoholic
16 beverages for consumption on the licensed premises and which
17 licensed premises is located in an entertainment district
18 established as provided ~~in subsection (d)~~ herein. A licensee
19 who receives an entertainment district designation for an
20 on-premises ~~retail~~ license shall comply with all laws, rules,
21 and regulations which govern its license type, except that the
22 patrons, guests, or members of that licensee may exit that
23 licensed premises with open containers of alcoholic beverages
24 and consume alcoholic beverages anywhere within the confines
25 of the entertainment district, which shall be permitted, but
26 may not enter another licensed premises with open containers

1 or closed containers of alcoholic beverages acquired
2 elsewhere.

3 "(c) The permission granted by subsection (b)
4 permitting the consumption of alcoholic beverages anywhere
5 within the confines of the entertainment district shall not
6 extend the confines of the licensed premises.

7 "(d) The governing body of any Class 2~~7~~ or Class 5
8 municipality covered by Act 2013-382, or a municipality with
9 an incorporated arts council, main street program, or downtown
10 development entity may establish not more than two
11 entertainment districts within its corporate limits, each of
12 which must have not fewer than four licensees holding ~~a retail~~
13 ~~liquor~~ an on-premises alcoholic beverage license in that
14 area, and each district may not exceed one-half mile by
15 one-half mile in area, but may be irregularly shaped.

16 "(e) The governing body of a Class 1 municipality,
17 Class 4 municipality, Class 3 municipality, or any
18 municipality which is located 15 miles north of the Gulf of
19 Mexico, may establish up to five entertainment districts
20 within the corporate limits, each of which must have not fewer
21 than four licensees holding ~~a restaurant retail liquor~~
22 ~~license,~~ an on-premises alcoholic beverage license, ~~or other~~
23 ~~retail liquor license~~ in that area and each district may not
24 exceed one-half mile by one-half mile in area, but may be
25 irregularly shaped.

26 "The governing body of a Class 8 municipality which
27 is located in a county with a Class 3 municipality may

1 establish two entertainment districts within its corporate
2 limits and the governing body of a Class 6, Class 7, or Class
3 8 municipality which is located in a county with a Class 1
4 municipality may establish three entertainment districts
5 within the corporate limits which may not have fewer than four
6 licensees holding ~~a retail liquor~~ an on-premises alcoholic
7 beverage license in that area and may not exceed one-half mile
8 by one-half mile in area, but may be irregularly shaped.

9 "For the purposes of this subsection, the term
10 on-premises as applied to consumption within such
11 entertainment district shall include anywhere within the
12 district, regardless of the terms and conditions of licensure.

13 "(f) All laws or parts of laws which conflict with
14 this section are repealed. All general, local, and special
15 laws or parts of such laws insofar as they designate or
16 restrict the boundaries, size, or area of such entertainment
17 districts are hereby repealed."

18 Section 2. This act shall become effective on the
19 first day of the third month following its passage and
20 approval by the Governor, or its otherwise becoming law.