

1 HB61
2 133648-1
3 By Representative Harper
4 RFD: Economic Development and Tourism
5 First Read: 07-FEB-12
6 PFD: 01/23/2012

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8 SYNOPSIS: Under existing law, the Alcoholic Beverage
9 Control Board does not require any person who
10 distributes tobacco products regulated by the board
11 to pay a permit fee.

12 This bill would require a one-time
13 nonrefundable filing fee of \$100 for each permit
14 and an annual license fee of \$250.

15
16 A BILL
17 TO BE ENTITLED
18 AN ACT

19
20 To amend Section 28-11-7 of the Code of Alabama
21 1975, relating to tobacco permits; to require a one-time
22 nonrefundable filing fee for each permit; and an annual
23 license fee.

24 BE IT ENACTED BY THE LEGISLATURE OF ALABAMA:

25 Section 1. Section 28-11-7 of the Code of Alabama
26 1975, is amended to read as follows:

27 "§28-11-7.

1 "(a) Any person who distributes tobacco products
2 within this state shall first obtain a permit from the board
3 for each location of distribution. ~~There is no fee for the~~
4 ~~permit.~~ Each application for a permit shall be accompanied by
5 a nonrefundable filing fee of one hundred dollars (\$100).
6 There shall be no filing fee for a renewal. An annual license
7 fee of two hundred fifty dollars (\$250) is levied and
8 prescribed for an initial tobacco permit when issued and shall
9 be due and payable each subsequent year when renewed by the
10 board.

11 "(b) Any person who maintains a tobacco or tobacco
12 product vending machine on his or her property in this state
13 shall first obtain a permit from the board for each machine at
14 each machine location. The permit for each machine shall be
15 posted in a conspicuous place on the machine.

16 "(c) A permit shall be valid only for the location
17 specified in the permit application.

18 "(d) A permit is not transferrable or assignable and
19 shall be renewed annually. Notwithstanding the foregoing, if a
20 location for which a permit is obtained is sold or
21 transferred, the permit shall be transferred to the person
22 obtaining control of the location and shall be valid for 30
23 days after the transfer during which time a new permit shall
24 be obtained.

25 "(e) If feasible, the board may, by rule or
26 regulation, establish procedures for the issuance and renewal

1 of permits which combine tobacco permit procedures with the
2 application and licensing procedures for alcoholic beverages."

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